PURPOSE AND VISION

This section sets out the purpose of this planning scheme, and the vision and strategic direction for the municipality.
PURPOSES OF THIS PLANNING SCHEME

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

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

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

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

Planning is to prevent environmental 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.
Settlement

Objective

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

Strategies

Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.

Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.


Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.

Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.

Create and reinforce settlement boundaries.

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

Plan for development and investment opportunities along existing and planned transport infrastructure.

Promote transport, communications and economic linkages between settlements through the identification of servicing priorities in regional land use plans.

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

Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.

- Developing settlements that will support resilient communities and their ability to adapt and change.

- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.

- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.

- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.

- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.

- Improving transport network connections in and between regional cities, towns and Melbourne.

Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.

Limit urban sprawl and direct growth into existing settlements.
Promote and capitalise on opportunities for urban renewal and infill redevelopment.
Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.
Ensure retail, office-based employment, community facilities and services are concentrated in central locations.
Ensure land that may be required for future urban expansion is not compromised.

**Policy documents**

Consider as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
**Settlement - Great South Coast**

**Objective**

To attract more people to the region.

**Strategies**

Plan for a network of settlements based around Warrnambool, Hamilton, Portland and district towns drawing on proximity to services, affordable living and a variety of lifestyle opportunities.

Support the role of Warrnambool as the key population and employment centre for the region with key links to Geelong and Melbourne.

Facilitate major development in designated growth areas in Warrnambool.

Support Hamilton to service the region's north-west and surrounding areas.

Support Portland to service the region's south-west.

Facilitate the district towns of Allansford, Camperdown, Casterton, Cobden, Coleraine, Dunkeld, Heywood, Koroit, Mortlake, Port Campbell, Port Fairy, Terang and Timboon to support local communities, industry and services.

Support development and investment in small towns that are facing economic and population challenges.

Support and promote active and attractive towns through the provision and enhancement of open space, trails, streetscapes and gardens.

Support growth and economic opportunities throughout the region, especially along the north-south (Henty Highway) and east-west (Princes Highway) corridors.

Support higher economic and population growth along the east-west primary growth corridor by capitalising and building on existing connections, strengths and infrastructure.
Supply of urban land

Objective
To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies
Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Ensure that sufficient land is available to meet forecast demand.

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Monitor development trends and land supply and demand for housing and industry.

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

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

Policy guidelines
Consider as relevant:

- Victorian Government population projections and land supply estimates.
Structure planning

Objective
To facilitate the orderly development of urban areas.

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

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

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

- Take into account the strategic and physical context of the location.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Provide for the development of sustainable and liveable urban areas in an integrated manner.
- Assist the development of walkable neighbourhoods.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.
**Sequencing of development**

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

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

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

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

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

Support opportunities to co-locate facilities.

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

**Policy documents**
Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)
- *Ministerial Direction No. 12 – Urban Growth Areas*
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PLANNING FOR PLACES
Activity centres

Objective
To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Strategies
Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- Comprises a range of centres that differ in size and function.
- Is a focus for business, shopping, working, leisure and community facilities.
- Provides different types of housing, including forms of higher density housing.
- Is connected by transport.
- Maximises choices in services, employment and social interaction.

Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.

Undertake strategic planning for the use and development of land in and around activity centres.

Give clear direction on preferred locations for investment.

Encourage a diversity of housing types at higher densities in and around activity centres.

Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.

Improve access by walking, cycling and public transport to services and facilities.

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Encourage economic activity and business synergies.

Improve the social, economic and environmental performance and amenity of activity centres.

Policy documents
Consider as relevant:

- Precinct Structure Planning Guidelines (Growth Areas Authority, 2009)
Growth areas

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

Strategies
Concentrate urban expansion into growth areas that are served by high-capacity public transport.
Implement the strategic directions in the Growth Area Framework Plans.
Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.
Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.
Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.
Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.
Provide a diversity of housing type and distribution.
Retain unique characteristics of established areas impacted by growth.
Protect and manage natural resources and areas of heritage, cultural and environmental significance.
Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.
Develop Growth Area Framework Plans that will:
- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.

Develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:
- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

**Policy documents**

Consider as relevant:

- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)
- *Ministerial Direction No. 12 – Urban Growth Areas*
Peri-urban areas

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

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

Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.

Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets.

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective

To plan for sustainable coastal development.

Strategies

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

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

Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.

Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.

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

Protect areas between settlements for non-urban use.

Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.

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

Ensure a sustainable water supply, stormwater 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.

Policy documents

Consider as relevant:

- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
Distinctive areas and landscapes

Objective
To protect and enhance the valued attributes of identified distinctive areas and landscapes.

Strategies
Recognise the significant geographic and physical features of these areas.
Recognise the important role these areas play in the state as tourist destinations.
Protect the identified key values and activities 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.
Develop Localised Planning Statements for the Bellarine Peninsula, Macedon Ranges, Mornington Peninsula and the Yarra Valley and Dandenong Ranges.

Policy documents
Consider as relevant:

The Great Ocean Road region

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

Strategies
Protect public land and parks and identified significant landscapes in the Great Ocean Road region.
Ensure development responds to the identified landscape character of the area.
Manage the growth of towns by:
  - Respecting the character of coastal towns and promoting best practice design for new development.
  - Directing urban growth to strategically identified areas.
Manage the impact of development on catchments and coastal areas.
Manage the impact of development on the environmental and cultural values of the area.
Improve the management of access and transport by:
  - Managing the Great Ocean Road for tourism and regional access.
  - Enhancing the safety and travelling experience of the Great Ocean Road.
  - Improving the safety and operational performance of the inland routes from the Princes Highway to the Great Ocean Road.
  - Providing travel choices to and in the region.
Encourage sustainable tourism and resource use by:
  - Developing a network of tourism opportunities throughout the region.
  - Supporting tourism activities that provide environmental, economic and social benefits.
  - Supporting the land use and transport needs of key regional industries including tourism.
  - Using natural resources with care.

Policy documents
Consider as relevant:
  - Victorian Coastal Strategy (Victorian Coastal Council, 2014)
  - The Great Ocean Road Region Landscape Assessment Study (Department of Sustainability and Environment, 2003)
  - The Great Ocean Road Region - A Land Use and Transport Strategy (Department of Sustainability and Environment, 2004)
Regional and local places

Objective
To facilitate integrated place-based planning.

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

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

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

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, the National Strategy for the Conservation of Australia’s Biological Diversity, 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.
Protection of biodiversity

Objective
To assist the protection and conservation of 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.

Policy guidelines
Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents
Consider as relevant:


- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)

- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*)
Native vegetation management

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

Strategies
Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Policy guidelines
Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents
Consider as relevant:

- Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)
- Assessor’s handbook – applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, 2017)
Protection of coastal areas

Objective

To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources.

Strategies

Coordinate land use and planning with the requirements of the Coastal Management Act 1995 to:

- Provide clear direction for the future sustainable use of the coast, including the marine environment, for recreation, conservation, tourism, commerce and similar uses in appropriate areas.
- Protect and maintain areas of environmental significance.
- Identify suitable areas and opportunities for improved facilities.

Apply the hierarchy of principles for coastal planning and management:

- Principle 1: Ensure the protection of significant environmental and cultural values.
- Principle 2: Undertake integrated planning and provide clear direction for the future.
- Principle 3: Ensure the sustainable use of natural coastal resources.
- Principle 4: Ensure development on the coast is located in existing modified and resilient environments where the demand for development is evident and any impacts can be managed sustainably.

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

Ensure development protects and seeks to enhance coastal biodiversity and ecological values.

Ensure development is sensitively sited and designed and respects the character of coastal settlements.

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

Protect cultural heritage places, including Aboriginal places, archaeological sites and historic shipwrecks.

Policy guidelines

Consider as relevant:

- Any applicable coastal action plan or management plan approved under the Coastal Management Act 1995 or National Parks Act 1975.

Policy documents

Consider as relevant:

- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
- Coastal Spaces Landscape Assessment Study (Department of Sustainability and Environment, 2006)
Coastal Crown land

Objective
To achieve coastal crown land development that provides an environmental, social and economic balance.

Strategies
Ensure that use and development on or adjacent to coastal foreshore Crown land:

- Maintains safe, equitable public access and improves public benefit.
- Protects local environmental and social values.
- Demonstrates need and coastal dependency.
- Minimises impact on the coast by locating within a defined activity or recreation node.

Policy guidelines
Consider as relevant:

- The purpose for which land is reserved under the Crown Land (Reserves) Act 1978.
- Any relevant coastal action plan or management plan approved under the Coastal Management Act 1995 or National Parks Act 1975.

Policy documents
Consider as relevant:

- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
Bays

Objective
To improve the environmental health of Port Phillip Bay and Western Port and their catchments.

Strategies
Reduce major environmental pressures associated with urban growth and development in Port Phillip Bay and Western Port catchments by:

- Requiring growth area planning to protect significant natural assets.
- Improving the quality of stormwater entering waterways, particularly from construction sites and road development.

Improve waterway management arrangements for Port Phillip Bay and Western Port catchments.

Protect coastal and foreshore environments and improve public access and recreation facilities around Port Phillip Bay and Western Port by:

- Focussing development in areas already developed or in areas that can tolerate more intensive use.
- Requiring coastal planning and management to be consistent with the *Victorian Coastal Strategy* (Victorian Coastal Council, 2014).
- Managing privately owned foreshore consistently with the adjoining public land.

Policy documents
Consider as relevant:

- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
River corridors, waterways, lakes and wetlands

Objective
To protect and enhance river corridors, waterways, lakes and wetlands.

Strategies
Protect the environmental, cultural and landscape values of all water bodies and wetlands.

Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.

Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.

Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland’s natural capacity to manage flood flow.

Protect the Yarra, Maribyrnong and Murray River corridors as significant economic, environmental and cultural assets.

Facilitate growth in established settlements where water and wastewater can be managed.

Policy documents
Consider as relevant:

- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
- *Healthy Waterways Strategy* (Melbourne Water, 2013)
Sustainable development in alpine areas

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

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

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

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

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

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

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

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

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

Ensure that the sustainable long term planning and management of Victoria’s six alpine resorts is consistent with the strategic directions contained in the Alpine Resorts Strategic Plan (Victorian Government, Alpine Resorts Co-ordinating Council, 2012).

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.

Policy guidelines
Consider as relevant:

- Any applicable approved Victorian Environmental Assessment Council recommendations.
- Any relevant State Environment Protection Policy.
- Any approved management plan or guideline endorsed by the Minister for Energy, Environment and Climate Change or Minister for Water.

Policy documents
Consider as relevant:

- Alpine Resorts Strategic Plan (Victorian Government, Alpine Resorts Co-ordinating Council, 2012)
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
Environmentally sensitive areas

Objective
To protect and conserve environmentally sensitive areas.

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

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

Strategies
Ensure significant landscape areas such as forests, the bays and coastlines are protected.
Ensure development does not detract from the natural qualities of significant landscape areas.
Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.
Recognise the natural landscape for its aesthetic value and as a fully functioning system.
Ensure important natural features are protected and enhanced.
ENVIRONMENTAL RISKS AND AMENITY

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

Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts.

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

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Natural hazards and climate change

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

Strategies
Consider 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 or risk adaptation strategies to be implemented.

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

Objective
To plan for and manage the potential coastal impacts of climate change.

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.

In planning for sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).

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

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

Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk.

Policy guidelines
Consider as relevant:
- Any applicable Land Conservation Council recommendations.
- Any applicable coastal action plan or management plan approved under the Coastal Management Act 1995 or National Parks Act 1975.

Policy documents
Consider as relevant:
- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
13.02 BUSHFIRE

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Bushfire planning

Policy application

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

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

Objective

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

Strategies

Protection of human life

Give priority to the protection of human life by:

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

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 *Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS 3959-2009 *Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.

- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.

- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.

- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.

- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.

- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009 *Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

**Areas of biodiversity conservation value**

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

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

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

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

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

- Consider the risk of bushfire to people, property and community infrastructure.
• Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.

• Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

• *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009)

• *Building in bushfire-prone areas* - CSIRO & Standards Australia (SAA HB36-1993, 1993)

• Any bushfire prone area map prepared under the *Building Act 1993* or regulations made under that Act
FLOODPLAINS
Floodplain management

Objective
To assist the protection of:
- Life, property and community infrastructure from flood hazard.
- 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 health.

Strategies
Identify land affected by flooding, including land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority in planning schemes.

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

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year 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.

Policy guidelines
Consider as relevant:
- Regional catchment strategies and special area plans approved by the Minister for Energy, Environment and Climate Change or Minister for Water.
- Any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.

Policy documents
Consider as relevant:
- State Environment Protection Policy (Waters of Victoria)
- Victorian Floodplain Management Strategy (Department of Environment, Land, Water and Planning 2016)
SOIL DEGRADATION
Contaminated and potentially contaminated land

Objective
To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Strategies
Require applicants to provide adequate information on the potential for contamination to have adverse effects on future land use if the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.

Facilitate the remediation of contaminated land, particularly on sites in developed areas with potential for residential development.

Policy documents
Consider as relevant:
- State Environment Protection Policy (Prevention and Management of Contamination of Land)
- Ministerial Direction No. 1 - Potentially Contaminated Land
Erosion and landslip

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

Strategies
Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.
Prevent inappropriate development in unstable areas or areas prone to erosion.
Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

Policy guidelines
Consider as relevant:
- Any applicable regional catchment strategy.
- Any special area plan approved under the *Catchment and Land Protection Act 1994*. 
Salinity

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

Strategies
Identify areas subject to salinity in the preparation of planning schemes and land use planning decisions.
Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.
Prevent inappropriate development in areas affected by groundwater salinity.

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

Policy documents
Consider as relevant:
Noise abatement

Objective
To assist the control of noise effects on sensitive land uses.

Strategy
Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Policy documents
Consider as relevant:

- State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2
- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 in metropolitan Melbourne
- Interim Guidelines for Control of Noise from Industry in Country Victoria (Environment Protection Authority, 1989)
Air quality management

Objective

To assist the protection and improvement of air quality.

Strategies

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

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

Ensure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Air Quality Management)*
- *Recommended Buffer Distances for Industrial Residual Air Emissions* (Environment Protection Authority, 1990)
AMENITY AND SAFETY
Land use compatibility

Objective
To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies
Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:

- Directing land uses to appropriate locations.
- Using a range of building design, urban design, operational and land use separation measures.
NATURAL RESOURCE MANAGEMENT

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

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

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

Strategies
Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.
Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
Protect productive farmland that is of strategic significance in the local or regional context.
Protect productive agricultural land from unplanned loss due to permanent changes in land use.
Prevent inappropriately dispersed urban activities in rural areas.
Protect strategically important agricultural and primary production land from incompatible uses.
Limit new housing development in rural areas by:
- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.
Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources 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.
WARRAMBOOL PLANNING SCHEME

14.01-2S Sustainable agricultural land use

Objective
To encourage sustainable agricultural land use.

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

Policy documents
Consider as relevant:

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

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

Strategies
Identify areas that may be suitably used and developed for plantation timber production.
Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.
Ensure protection of water quality and soil.
Ensure timber production in native forests is conducted in a sustainable manner.
Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014).
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* (Department of Environment and Primary Industries, 2014)
Catchment planning and management

Objective
To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

Strategies
Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.
Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.
Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

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

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

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

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

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

Require appropriate measures to restrict sediment discharges from construction sites.

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

Policy documents
Consider as relevant:

- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994
- State Environment Protection Policy (Waters of Victoria)
- Murray River Regional Environmental Plan No 2 (REP2) of New South Wales
- Planning permit applications in open, potable water supply catchment areas (Department of Sustainability and Environment, 2012)
- 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
- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
Water quality

Objective
To protect water quality.

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

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

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

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

Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water.

Use the mapped information available from the Department of Environment, Land, Water and Planning to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

Policy documents
Consider as relevant:

- *Construction Techniques for Sediment Pollution Control* (Environment Protection Authority, 1991)
- *Environmental Guidelines for Major Construction Sites* (Environment Protection Authority, 1996 - Publication 480)
- *Doing it Right on Subdivisions: Temporary Environmental Protection Measures for Subdivision Construction Sites* (Environment Protection Authority, 2004 - Publication 960)
- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)
Resource exploration and extraction

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

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

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

Recognise the possible need to provide infrastructure for the exploration and extraction of natural resources.

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

Develop and maintain buffers around mining and quarrying activities.

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable State Environment Protection Policy.

Policy documents
Consider as relevant:

- Mineral Resources (Sustainable Development) Act 1990
Resource exploration and extraction - Great South Coast

Strategy
Facilitate access to key construction material resources in the region, including on-site quarrying.
BUILT ENVIRONMENT AND HERITAGE

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

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

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

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

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

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.
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BUILT ENVIRONMENT
Urban design

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

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

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

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

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

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

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

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

Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

Building design

Objective
To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Strategies
Require a comprehensive site analysis as the starting point of the design process.
Ensure the site analysis provides the basis for the consideration of height, scale and massing 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.
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 provides safe access and egress for pedestrians, cyclists and vehicles.
Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
Encourage development to retain existing vegetation.

Policy documents
Consider as relevant:

Subdivision design

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

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

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- 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.
- Being accessible to people with disabilities.
- Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.

Policy documents
Consider as relevant:

Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

Neighbourhood character

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

Strategies
Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.

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 emphasising the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Heritage values and built form that reflect community identity.
Design for rural areas

Objective

To ensure development respects valued areas of rural character.

Strategies

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

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

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

Objective
To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Strategies
Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
Promote consolidation of urban development and integration of land use and transport.
Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.
Support low energy forms of transport such as walking and cycling.
Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.
Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.
**Heritage conservation**

**Objective**

To ensure the conservation of places of heritage significance.

**Strategies**

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

**Policy guidelines**

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.
Aboriginal cultural heritage

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

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

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

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

Policy guidelines
Consider as relevant:

- The findings and recommendations of the Aboriginal Heritage Council.

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

Policy documents
Consider as relevant:

- *Aboriginal Heritage Act 2006*
HOUSING

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

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

Planning for housing should include the provision of land for affordable housing.
RESIDENTIAL DEVELOPMENT
Integrated housing

Objective
To promote a housing market that meets community needs.

Strategies
Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

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.

Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.

Facilitate the delivery of high quality social housing.

Policy documents
Consider as relevant:

Location of residential development

**Objective**
To locate new housing in designated locations that offer good access to jobs, services and transport.

**Strategies**
Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.

Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.

Identify opportunities for increased residential densities to help consolidate urban areas.
Housing diversity

Objective
To provide for a range of housing types to meet diverse needs.

Strategies
Ensure housing stock matches changing demand by widening housing choice.
Facilitate diverse housing that offers choice and meets changing household needs through:
- A mix of housing types.
- Adaptable internal dwelling design.
- Universal design.
Encourage the development of well-designed medium-density housing that:
- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.
Support opportunities for a range of income groups to choose housing in well-serviced locations.
Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.
Housing diversity - Great South Coast

Strategy

Support the provision of suitable housing for elderly people to cater for projected demographic change.
Housing affordability

Objective
To deliver more affordable housing closer to jobs, transport and services.

Strategies
Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.

- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.

- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.

- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.

- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

Strategies

Support rural residential development in locations that:

- Are adjacent to towns with limited growth demand to sustain population levels and communities.
- Are not strategically identified for standard density urban growth.
Community care accommodation

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

Strategies
Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation that accommodates no more than 20 clients and that is funded by, or conducted 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.
Residential aged care facilities

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

Strategies
Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.
Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).
Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.
Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.
Encourage planning for housing that:
- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.
- Enables older people to live in appropriate housing in their local community.
Provide for a mix of housing for older people with appropriate access to care and support services.
Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.
Ensure that residential aged care facilities are designed to respond to the site and its context.
Promote a high standard of urban design and architecture in residential aged care facilities.

Policy guidelines
Consider as relevant:
- The Commonwealth Government’s Responsible ratios for the provision of aged care places under the Aged Care Act 1997.
ECONOMIC DEVELOPMENT

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

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

Objective
To strengthen and diversify the economy.

Strategies
Protect and strengthen existing and planned employment areas and plan for new employment areas.
Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.
Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
Improve access to jobs closer to where people live.
Support rural economies to grow and diversify.
Diversified economy - Great South Coast

Strategies

Support agriculture as a primary source of economic prosperity and increase the region’s contribution to the nation’s food production.

Support rural production and associated economic development opportunities including rural industry, rural sales, accommodation and tourism.

Support expanded processing and logistics businesses in Hamilton.
Innovation and research

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

Strategies
Encourage the expansion and development of logistics and communications infrastructure.
Support the development of business clusters.
Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area’s public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.
Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.
Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.
Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.
Improve access to community-based information and training through further developing libraries as community learning centres.
Innovation and Research - Great South Coast

Strategy

Support expanded research and development businesses in Hamilton.
COMMERCIAL
Business

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

Strategies
Plan for an adequate supply of commercial land in appropriate locations.
Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
Locate commercial facilities in existing or planned activity centres.
Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.
Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.
Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.
Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.
Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.
Business - Great South Coast

Strategy

Out-of-centre development

Objective

To manage out-of-centre development.

Strategies

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

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

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

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

Objective
To ensure availability of land for industry.

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

Identify land for industrial development in urban growth areas where:

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

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

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

Policy documents
Consider as relevant:

- *Recommended Buffer Distances for Industrial Residual Air Emissions* (Environment Protection Authority, 1990)
Industrial development siting

Objective
To facilitate the sustainable development and 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.

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

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

Policy documents
Consider as relevant:

- *Recommended Buffer Distances for Industrial Residual Air Emissions* (Environment Protection Authority, 1990)
State significant industrial land

Objective
To protect industrial land of state significance.

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

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

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

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

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

Strategies
Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.
Seek to ensure that tourism facilities have access to suitable transport.
Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.
Create innovative tourism experiences.
Encourage investment that meets demand and supports growth in tourism.

Policy guidelines
Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents
Consider as relevant:

Tourism - Great South Coast

Strategies

Provide flexibility and opportunities for a diverse range of tourism development, including an increase in the supply of appropriate accommodation and tourism infrastructure.

Provide for the sustainable management of regionally significant tourism attractions such as the Great Ocean Road, Great Southern Touring Route, national parks, major inland waterways such as Lake Corangamite, key coastal assets including Discovery Bay, and cultural heritage sites.
Coastal and maritime tourism and recreation

Objective
To encourage suitably located and designed coastal, marine and maritime tourism and recreational opportunities.

Strategies
Support the development of ecotourism, tourism and major maritime events.
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.
Provide public access to recreational facilities and activities on land and water.
Encourage high quality urban design that is innovative, sustainable and integrated with surrounding areas.
Support maritime and related industries in appropriate locations.

Policy documents
Consider as relevant:

- Boating Coastal Action Plan (Central Coastal Board, 2007)
- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
- Coastal Spaces Landscape Assessment Study (Department of Sustainability and Environment, 2006)
TRANSPORT

Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.
Land use and transport planning

Objective
To create a safe and sustainable transport system by integrating land use and transport.

Strategies
Develop integrated and accessible transport networks to connect people to jobs and services and goods to market.

Plan urban development to make jobs and services more accessible by:

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.
- Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of urban areas.
- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.
- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.

Integrate public transport services and infrastructure into new development.

Improve transport links that strengthen the connections to Melbourne and adjoining regions.

Policy documents
Consider as relevant:

Transport system

Objective
To coordinate development of all transport modes to provide a comprehensive transport system.

Strategies
 Reserve land for strategic transport infrastructure.
 Require transport system management plans for key transport corridors and for major investment proposals.
 Incorporate the provision of public transport, cycling and walking infrastructure in all major new state and local government road projects.
 Locate transport routes to achieve the greatest overall benefit to the community to making the best use of existing social, cultural and economic infrastructure, minimising impacts on the environment and optimising accessibility, safety, emergency access, service and amenity.
 Locate and design new transport routes and adjoining land uses to minimise disruption of residential communities and their amenity.
 Plan or regulate new uses or development of land near an existing or proposed transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms.
 Facilitate infrastructure that connects and improves train services between key regional cities and townships and Melbourne.
 Ensure that pedestrian and cyclist access to public transport is facilitated and safeguarded.
 Ensure the design, construction and management of all transport modes reduces environmental impacts.
 Ensure careful selection of sites for freight generating facilities to minimise associated operational and transport impacts to other urban development and transport networks.
 Consider all modes of travel, including walking, cycling, public transport, taxis and private vehicles (passenger and freight) in providing for access to new developments.

Policy guidelines
Consider as relevant:
- Any applicable highway strategy published by VicRoads.

Policy documents
Consider as relevant:

Transport links - Great South Coast

Strategies
Support connections to adjacent regional cities and regional centres, including Mt Gambier, Horsham, Ballarat, Colac and Geelong.
Improve road and rail connections between Warrnambool, Geelong and Melbourne to facilitate growth and support increased visitors to the region.
Sustainable personal transport

Objective
To promote the use of sustainable personal transport.

Strategies
Ensure development and the planning for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) provide opportunities to promote more walking and cycling.

Encourage the use of walking and cycling by creating environments that are safe and attractive.

Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.

Ensure cycling routes and infrastructure are constructed early in new developments.

Provide direct and connected pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Ensure cycling infrastructure (on-road bicycle lanes and off-road bicycle paths) is planned to provide the most direct route practical and to separate cyclists from other road users, particularly motor vehicles.

Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities and other major attractions when issuing planning approvals.

Provide improved facilities, particularly storage, for cyclists at public transport interchanges, rail stations and major attractions.

Ensure provision of bicycle end-of-trip facilities in commercial buildings.

Policy documents
Consider as relevant:

Public Transport

Objective
To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Strategies
Maintain and strengthen passenger transport networks.

Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

- Ensuring integration with walking and cycling networks.
- Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.

Plan for bus services to meet the need for local travel.

Ensure development supports the delivery and operation of public transport services.

Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.

Provide for bus routes and stops and public transport interchanges in new development areas.

Policy documents
Consider as relevant:

- Public Transport Guidelines for Land Use and Development (Victorian Government, 2008)
- The Victorian Transport Plan (Victorian Government, 2008)
- Cycling into the Future 2013-23 (Victorian Government, 2012)
Public Transport - Great South Coast

Strategy

Facilitate the development and expansion of the railway station precinct at Warrnambool.
Road system

Objective
To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.

Strategies
Plan and regulate the design of transport routes and nearby areas to achieve visual standards appropriate to the importance of the route with particular reference to landscaping, the control of outdoor advertising and, where appropriate, the provision of buffer zones and resting places.

Provide for grade separation at railway crossings except with the approval of the Minister for Transport.

Make better use of roads for all road users through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and taxis) and specific freight routes.

Selectively expand and upgrade the road network to provide for:

- High-quality connections between Metropolitan Melbourne and regional cities, and between regional cities.
- Upgrading of key freight routes.
- Ongoing development in outer suburban areas.
- Higher standards of on-road public transport.
- Improved key cross-town arterial links in the outer suburbs including circumferential and radial movement.

Ensure access to jobs and services in growth areas and outer suburban areas by improving roads for all road users.

Improve the management of key freight routes to make freight operations more efficient while reducing their external impacts.

Ensure that road space complements land use and is managed to meet community and business needs.
Car parking

Objective
To ensure an adequate supply of car parking that is appropriately designed and located.

Strategies
Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.

Encourage the efficient provision of car parking by consolidating car parking facilities.

Design and locate local car parking to:
- Protect the role and function of nearby roads.
- Enable easy and efficient use.
- Enable the movement and delivery of goods.
- Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.
- Facilitate the use of public transport.

Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.

Policy documents
Consider as relevant:
- Public Transport Guidelines for Land Use and Development (Victorian Government, 2008)
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.

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.

Policy documents
Consider as relevant:

- *Victorian Ports Strategic Framework* (Department of Infrastructure, 2004)
- *Port Futures* (Victorian Government, 2009)
- *Port of Portland - Port Land Use Strategy* (Port of Portland Pty Limited, 2009)
- *Port of Geelong - Development Strategy* (Victorian Regional Channels Authority, 2013)
- *Port Development Strategy 2035 Vision* (Port of Melbourne Corporation, 2009)
Planning for ports - Great South Coast

Strategy

Support the expansion of the Port of Portland as a national and international gateway for exports.
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.

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:

- *Port Futures* (Victorian Government, 2009)
- *Port of Portland - Port Land Use Strategy* (Port of Portland Pty Limited, 2009)
- *Port of Geelong - Development Strategy* (Victorian Regional Channels Authority, 2013)
- *Port Development Strategy 2035 Vision* (Port of Melbourne Corporation, 2009)
Planning for airports and airfields

Objective
To strengthen the role of Victoria’s airports and airfields within the state’s economic and transport infrastructure, facilitate their siting and expansion and protect their ongoing operation.

Strategies
Protect airports from incompatible land uses.
Ensure that in the planning of airports, land use decisions are integrated, appropriate land use buffers are in place and provision is made for associated businesses that service airports.
Ensure the planning of airports identifies and encourages activities that complement the role of the airport and enables the operator to effectively develop the airport to be efficient and functional and contribute to the aviation needs of the state.
Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.
Protect the environs of Avalon Airport so it can operate as a full-size jet airport focussing on freight, training and services.
Recognise Essendon Airport’s current role in providing specialised functions related to aviation, freight and logistics and its potential future role as a significant employment and residential precinct that builds on the current functions.
Recognise Moorabbin Airport as an important regional and state aviation asset by supporting its continued use as a general aviation airport, ensuring future development at the site encourages uses that support and enhance the state’s aviation industry and supporting opportunities to extend activities at the airport that improve access to regional Victoria.
Maintain Point Cook Airfield as an operating airport complementary to Moorabbin Airport.
Preserve long-term options for a new general aviation airport south-east of Metropolitan Melbourne by ensuring urban development does not infringe on possible sites, buffer zones or flight paths.
Avoid the location of new airfields in areas that have greater long-term value to the community for other purposes.
Plan the location of 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 use or development of land on the approaches to an airfield to be consistent with the status of the airfield.
Plan for areas around all airfields such that:

- Any new use or development that could prejudice the safety or efficiency of an airfield is precluded.
- The detrimental effects of aircraft operations (such as noise) are taken into account in regulating and restricting the use and development of affected land.
- Any new use or development that could prejudice future extensions to an existing airfield or aeronautical operations in accordance with an approved strategy or master plan for that airfield is precluded.

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
Freight links

Objective
To develop the key Transport Gateways and freight links and maintain Victoria’s position as the nation’s premier logistics centre.

Strategies
Support major Transport Gateways as important locations for employment and economic activity by:

- Protecting designated ports, airports, freight terminals and their environs from incompatible land uses.
- Encouraging adjacent complementary uses and employment generating activities.

Improve the freight and logistics network to optimise freight handling and maintain the efficiency and effectiveness of the network.

Support the development of freight and logistics precincts in strategic locations along key regional freight corridors.

Plan for improved freight connections that are adaptable to commodity, market and operating changes.

Link areas of production and manufacturing to export markets.

Improve freight efficiency and increase capacity of Transport Gateways while protecting urban amenity.

Facilitate increased capacity of Interstate Freight Terminals, both in regional areas and Metropolitan Melbourne.

Ensure an adequate supply of land is zoned to allow high-volume freight customers to locate adjacent to Interstate Freight Terminals.

Minimise negative impacts of freight movements on urban amenity.

Limit incompatible uses in areas expected to have intense freight activity by identifying and protecting key freight routes on the Principal Freight Network.

Policy documents
Consider as relevant:

INFRASTRUCTURE

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

Strategies
Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.
Renewable energy

Objective
To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies
Facilitate renewable energy development in appropriate locations.
Protect energy infrastructure against competing and incompatible uses.
Develop appropriate infrastructure to meet community demand for energy services.
Set aside suitable land for future energy infrastructure.
Consider the economic 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.
Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents
Consider as relevant:

Renewable energy - Great South Coast

Strategy

Plan for and sustainably manage the cumulative impacts of alternative energy development.
Pipeline infrastructure

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

Strategies
Plan for the development of pipeline infrastructure subject to the Pipelines Act 2005.
Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.
Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.
Provide for environmental management during construction and on-going operation of pipeline easements.
19.02 COMMUNITY INFRASTRUCTURE
Health facilities

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

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

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

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

Provide adequate car parking for staff and visitors of health facilities.
Health facilities - Great South Coast

Strategies

Create connections between key health institutions and major centres throughout the region.
Support the renewal, maintenance and improvement of health facilities.
Facilitate the development and expansion of medical precincts at Warrnambool.
Education facilities

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

Strategies
Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school facilities provide safe vehicular drop-off zones.

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.

Develop libraries as community based learning centres.
Education precincts - Great South Coast

Strategies

Create connections between key educational institutions and major centres throughout the region.
Support the renewal, maintenance and improvement of educational facilities.
Facilitate the development and expansion of education precincts at Warrnambool.
Cultural facilities

Objective
To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies
Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.
Reinforce the existing major precincts for arts, sports and major events of state wide appeal.
Establish new facilities at locations well served by public transport.
Social and cultural infrastructure

Objective
To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies
Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.
Encourage the location of social and cultural infrastructure in activity centres.
Ensure social infrastructure is designed to be accessible.
Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.
Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.
Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.
Identify and protect land for cemeteries and crematoria.
Emergency services

Objective
To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies
Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.
Locate emergency services together in newly developing areas.
Open space

Objective
To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies
Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person’s location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.
19.03 DEVELOPMENT INFRASTRUCTURE

31/07/2018
VC148
Development and infrastructure contributions plans

Objective
To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

Strategies
Prepare development contributions plans and infrastructure contributions plans, under the Planning and Environment Act 1987, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents
Consider as relevant:

- Development Contributions Guidelines (Department of Sustainability and Environment, 2003 -as amended 2007)
- Infrastructure Contributions Plan Guidelines (Department of Environment, Land, Water and Planning, 2016)
- 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
Infrastructure design and provision

Objective
To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies
Provide an integrated approach to the planning and engineering design of new subdivision and development.
Integrated water management

Objective

To sustainably manage water supply, 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.

Policy documents

Consider as relevant:

- *State Environment Protection Policy (Waters of Victoria)*
- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)

- *Planning Permit Applications in Open, Potable Water Supply Catchment Areas* (Department of Sustainability and Environment, 2012)
Telecommunications

Objective
To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Strategies
Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.

Ensure the communications technology needs of business, domestic, entertainment and community services are met.

Ensure that the use of land for a telecommunications facility is not prohibited in any zone.

Encourage the continued deployment of broadband telecommunications services that are easily accessible by:

- Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.
- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

Policy documents
Consider as relevant:

Waste and resource recovery

Objective
To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community 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 and maximise opportunities for resource recovery.

Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Encourage technologies that increase recovery and treatment of resources to produce energy and other marketable end products.

Enable waste and resource recovery facilities to locate close together in order to share separation distances, reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities in accordance with the Waste Management Policy (Siting, Design and Management of Landfills) (Environment Protection Authority, 2004).

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines
Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents
Consider as relevant:

- Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015)
- Metropolitan Waste and Resource Recovery Implementation Plan (Metropolitan Waste and Resource Recovery Group, 2016)
- Waste Management Policy (Siting, Design and Management of Landfills) (Environment Protection Authority, 2004)
- Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills) (Environment Protection Authority, 2001)
- Victorian Organics Resource Recovery Strategy (Sustainability Victoria, 2015)
- Designing, Constructing and Operating Composting Facilities (Environment Protection Authority, 2015)
LOCAL PLANNING POLICY FRAMEWORK

This section sets out the Municipal Strategic Statement and the Local Planning Policies that apply to the area covered by this planning scheme, and includes provisions about their operation.
MUNICIPAL PROFILE, COUNCIL VISION AND STRATEGIC DIRECTIONS

Municipal profile

Warrnambool City is Victoria’s largest coastal regional city and is the fastest growing economy and population centre in southwest Victoria. The City provides support to the region in the fields of commerce, governance, social services, health, education, the arts and recreation.

Warrnambool is situated on one of the most spectacular sections of the southwest Victorian coastline and is a major tourist hub, attracting tourists travelling along routes such as the Great Ocean Road. The City is served by the Hopkins Highway, the Princes Highway and the Melbourne-Geelong-Warrnambool railway line. A public bus service also services the City.

The City is bound by Moyne Shire in the north, east and west and the Southern Ocean in the south, and is approximately 260 kilometres west of Melbourne. The City encompasses a total land area of 120 square kilometres. Much of the rural area (approximately 60% of the City’s land area) is used for agriculture, particularly dairy farming. The majority of the City’s population is concentrated in Warrnambool, Dennington, Allansford, Bushfield and Woodford.

Warrnambool has a steadily growing population. The estimated resident population of Warrnambool was 33,501 in 2014 and is expected to increase to approximately 40,670 people by 2031.

The City includes a diversity of land uses, including significant areas of residential, industrial and commercial zoned land.

Key issues

Key planning issues facing the City into the future are summarised below.

- **Population growth and associated needs for housing, infrastructure, community facilities, employment and services** – Given the region’s ageing population, more workers are required to support the growth of existing and new industries.

- **Housing supply, choice and affordability** – Over the next two decades, Warrnambool’s population is projected to age and household sizes are expected to continue to get smaller. Dwelling sizes however, are anticipated to increase. Careful planning is required to ensure future populations have access to a diverse range of housing options.

- **Community health and wellbeing** – The community’s vision for a liveable city revolves largely around health and wellbeing, and the social and physical attributes that contribute to this.

- **Healthy transport** – The development of healthy transport options, including walking, cycling and public transport (for longer distance trips), between our neighbourhoods and townships will provide benefits by increasing daily physical activity levels and improved social well-being and a greater sense of community.

- **Landscape character** – Landscape character is valued by the community. This includes the ability to view the ocean, the Merri River, the Hopkins River, and surrounding rural areas, from numerous public areas and from private dwellings. Respect for the sharing of views, rather than necessarily the retention of all existing views, is an important issue to manage.

- **Access to open space** – open space is not evenly distributed throughout the City and some areas have poor access to open space. Improved access to our waterways will continue to provide important recreational opportunities.

- **Climate change** – Climate change presents a threat to the natural and built coastal environment, to the community and to economic activity. It is important that the effects of climate change are mitigated now and into the future.
- **Environmental values** – The City supports an impressive range of environmental values. Further urban development, the introduction of pest plants and animals have the potential to impact on biodiversity.

- **Economic development** – Employment strengths are in the health and community services, education, food processing, government, retail trade and tourism. The development of value-adding opportunities will play a major role in the City’s future economic development.

- ‘ – It is important that rural areas are protected to ensure agricultural uses remain viable and to ensure the City’s unique rural character is protected from urban development.

### Council vision

The Council Plan sets out the overall vision for Warrnambool, as follows:

To be a thriving, culturally rich and inclusive leading regional city.

The Municipal Strategic Statement (MSS) and the *Warrnambool Health and Wellbeing Plan 2013-2017* are key Council strategic documents that contribute to the delivery of the Council Plan.

The MSS guides Council’s decisions about development and land use planning and the *Warrnambool Health and Wellbeing Plan 2013 – 2017* guides Council’s actions to improve the health, safety and wellbeing of the community.

### Strategic directions

Council is committed to creating a sustainable City that allows people to walk or cycle to access their everyday needs and that contributes to opportunities for social interaction, community building and the overall health and wellbeing of the community. A sustainable Warrnambool will generally include a mix of the following key elements:

- Shops and services.
- Community facilities such as kindergartens, schools, neighbourhood houses etc.
- Employment choices.
- Housing choices.
- A network of different types of open spaces for leisure, recreation and protection of environmental values.
- Public transport options.

In order to achieve this, Warrnambool City Council has a very clear strategic direction to provide:

- An integrated network of activity centres.
- An adequate supply of land for industry.
- Access to a diverse range of housing options.
- Access to high quality open space.
- An integrated transport network.

The Warrnambool Strategic Framework Plan is shown in Figure 1 to this clause.

#### Activity centres

Warrnambool has an extensive activity centre network consisting of the following centres:

- Warrnambool City Centre (Principal Activity Centre) – which serves a primary retail role and is anchored by a department store and discount department stores.
- Eastern Activity Precinct (Major Activity Centre) – which includes Gateway Plaza and other retail stores, which serve a secondary retail role.
Neighbourhood Activity Centres – Northpoint Village and Dennington, where the highest-order retail attractor is a supermarket.

Convenience Centres – which are proposed at Allansford and within the Merri River North Growth Area, where there are no major retail stores (including supermarkets).

Convenience Nodes – existing isolated convenience stores (e.g. milk bars) and future retail nodes ancillary to tourism developments.

Land for industry

Warrnambool boasts a strong industrial sector, functioning as the regional service centre for the south west region of Victoria.

The Warrnambool Industrial Land Review (Warrnambool City Council, 2010) recognised the need to address the lack of industrial land supply within the City and identified appropriate locations for new industrial land to meet demand over the next 15 years. In particular, the Warrnambool Industrial Land Use Review (Warrnambool City Council, 2010) identified a location for a new industrial hub location (Eastern Industrial Precinct), noting that existing industrial areas within the City were nearing capacity.

The Eastern Industrial Precinct is identified as the most appropriate location to accommodate a new industrial hub. Consisting of approximately 107 hectares, this precinct is being delivered in a staged manner that enables immediate delivery of industrial zoned land to meet current demand.

Housing

Established urban areas have potential for further residential development. Large sites within established urban areas that are no longer needed for their original purpose may be suitable for residential redevelopment. There is capacity for more intensive forms of residential development within close proximity to open space, activity centres and along public transport routes.

The development of greenfield growth areas also provide an opportunity to develop a variety of dwelling types with varying development densities. The use of smaller lot sizes and housing close to community services is particularly appropriate for the ageing and student populations.

Growth areas for housing within the municipality include:

- North East Warrnambool Growth Area
- Coastal Hopkins Growth Area
- North Dennington Growth Area
- North of the Merri River Growth Area
- East of Aberline Road Future Urban Growth Corridor
- South Dennington Growth Area.

North East Growth Area

The North East Growth area is the area generally bound by Aberline Road to the east, Mortlake Road (Hopkins Highway) to the west, Dales and Whites Roads to the south and Wangoom Road to the north. Development is anticipated to proceed in accordance with approved development plans, and lot yield is forecast at 720 lots.

Coastal Hopkins Growth Area

The Coastal Hopkins Growth Area immediately east and south of the Hopkins River is approximately 115 hectares of land with the potential to accommodate approximately 650 lots over the next 15 years. The growth area will provide a high quality residential environment, that responds to local characterises and context.
North Dennington Growth Area

The North Dennington Growth Area is an area of 160 hectares bound by the Merri River and is approximately 4 kilometres west of central Warrnambool. The North Dennington Growth Area is anticipated to accommodate approximately 1,250 new residential lots over the next 15-20 years. It will accommodate a diverse range of lot sizes and housing types.

North of the Merri River Growth Area

The area immediately north of the Merri River bound by Wollaston Road is approximately 250 hectares of land with the potential to accommodate approximately 2,200 lots over the next 15-20 years.

A key feature of the North of the Merri River Growth Area will be the creation of 5 distinct neighbourhoods which are diverse in housing densities, built form and streetscapes and supported by a local activity centre to service the local convenience needs of the community. The Merri River and its floodplain will accommodate a range of functions including drainage, active and passive recreation, walking and cycling and will preserve key environmental features.

Future Urban Growth Corridor

380 hectares of land on the eastern side of Aberline Road has been identified as a future urban growth corridor. This area is likely to contain a mix of uses, such as residential and industrial uses, subject to detailed structure planning.

North of Wangoom Road

Land immediately north of Wangoom Road is identified for longer term residential development subject to detailed structure planning.

South Dennington Growth Area

30 hectares of land in South Dennington has been identified as having potential for residential development subject to detailed structure planning.

Open space network

There are over 200 open spaces in Warrnambool, including a number of open spaces of regional significance. Lake Pertobe and the Warrnambool Foreshore are key recreational spaces that also offer substantial tourism and environmental benefits to the City.

The coastline and river corridors support an impressive range of environmental values. Areas of vegetation provide important wildlife habitat and corridors for vulnerable and threatened flora and fauna species. It is important to ensure that urban development protects and supports the City’s environmental values.

Port Fairy to Warrnambool Rail Trail provides off-road walking and cycling opportunities to residents and visitors, and is identified as a Regional Trail in the Barwon South West Regional Trails Master Plan. Important regional sports reserves include Albert Park and the Brierly Recreation Reserve.

Whilst overall provision of open space in Warrnambool is good, there are some areas where residents do not have access to open space within walking distance of home.

Connectivity between open spaces and access to off-road trails are also key areas to be improved.

Transport network

Warrnambool is well serviced by a passenger and freight rail service to Melbourne, a school bus system and a local and regional bus service. The Warrnambool Airport is located approximately eleven kilometres northwest of the City. The Warrnambool Intermodal Freight Terminal is located within the West Warrnambool Industrial Precinct.

Warrnambool residents are currently heavily reliant on personal motor vehicles for transport.
Council has adopted a Sustainable Transport Strategy to ensure a comprehensive approach is taken to both improve walking and cycling infrastructure and encourage residents and visitors to use these viable transport modes and public transport more often.

**Community Infrastructure**

Warrnambool has an extensive range of education, community and health services that enhance the lifestyle of local residents and serve an important regional role.

A range of issues will affect future demand for community services including: a growing population; the increased use of services by older residents; the specific needs of children and young people; increased demand for early years services; the use of Warrnambool services by people living outside the municipality; and the growing demand for administrative, meeting and program spaces.

The provision of efficient and effective community services and appropriate and flexible spaces for community activities, will be critical in maintaining liveability and a sense of community as well as supporting optimal community health and wellbeing.

**Environment and Landscape Values**

Warrnambool’s natural environment reflects its location on the magnificent Southern Ocean Coast. The City is home to a number of threatened species of flora and fauna on land and in aquatic environments.

The coastline supports an impressive range of environmental values. Areas of coastal vegetation provide important wildlife habitat and corridors for vulnerable and threatened flora and fauna species. In addition, Warrnambool’s coastline adjoins a number of ecologically important areas including the Southern Right Whale nursery off Logans Beach and the Merri Marine Sanctuary.

It is important that the impacts of urban and rural pressures are appropriately managed in coastal areas, waterways and sensitive ecosystems.

Warrnambool contains areas of great natural beauty. The community values the city’s landscape character. The ocean, the Merri River, the Hopkins River, inland hilltops and ridgelines, and surrounding rural areas can be viewed from numerous public areas and private dwellings throughout the city.

The natural landscape is an important asset of the municipality that requires protection from inappropriate use and development.

**Climate Change**

The results of climate change, such as storm surge, inundation through sea level rise, and temperature increase pose some of the most significant threats to Warrnambool’s coastline.

Planning needs to take account of the risks associated with possible sea level rise in areas of known vulnerability and ensure that these risks are mitigated or avoided where possible.

**Rural Character and Agricultural Land**

Agriculture is an important element of the regional economy with 16 percent of the work force employed within the agriculture, fishing and forestry sector.

Appropriate management of the urban-agricultural interface will be required to protect farming operations and maintain a greenbelt around Warrnambool’s settlement boundary.

**Particular issues**

In addition to the strategic directions included in the MSS, Council has developed specific local planning policies to guide the exercise of discretion in relation to particular issues. The local planning policies are located in Clause 22, as follows:

22.01: Rural dwelling excision
22.02: Industrial development
22.03: Heritage Precincts
Figure 1 - Warrnambool Strategic Framework Plan
SETTLEMENT

This clause provides local content to support Clause 11 (Settlement) of the State Planning Policy Framework.

Specific references to activity centres and growth areas are also included in Clause 21.11 (Local Areas).

Activity centres

Warrnambool's activity centre network

Warrnambool’s activity centres are identified on the Warrnambool Strategic Framework Plan.

Warrnambool City Centre

The intent to maintain the primacy of the City Centre is reinforced by its designation as the principal activity centre for Warrnambool and southwest Victoria. The City Centre’s regional role includes its function as the primary retail centre, principal location for higher-order business and professional services and as the location for a diversity of other complementary regional and city wide functions. As the regional business and service hub, the City Centre should continue to offer the greatest concentration of core retail activities, including the majority of major retail stores and highest proportion of specialty floorspace.

The City Centre will also be the focus for a range of other regional services and facilities including medical and health services, education providers, community services, commercial and business services, hospitality, entertainment and tourism activities. To reinforce its regional role, further regional level retailing, services, facilities and activities should be located in the City Centre as a first preference.

Eastern Activity Precinct

The Eastern Activity Precinct is a major activity centre in Warrnambool, comprising several key developments that are unified by the Princes Highway (Raglan Parade). The Eastern Activity Precinct contains several sub-precincts: a regional bulky goods cluster, the Flying Horse Inn mixed use development, and Gateway Plaza and other retail, which is the secondary retail centre in the City, providing a range of weekly and discretionary goods to east Warrnambool and surrounding districts. New investment is encouraged in the Eastern Activity Precinct to deliver an expanded range of complementary roles and services that reinforce its role as a major activity centre but in a manner that supports the City Centre.

Neighbourhood Activity Centres and Convenience Centres

The need for other strategically-located lower-order activity centres is also recognised, with Neighbourhood Activity Centres at Dennington and Northpoint Village, as well as new local or convenience centres proposed for Allansford and in the North of the Merri River Growth Area. Proposals for other convenience centres or nodes will be considered on their merits particularly where they support the development of new employment areas, encourage the provision of a range of complementary niche retailing and services in tourism nodes, and respond to future growth area development.

The hierarchy of activity centres has been established to foster a competitive and sustainable local economy focused upon a network of vibrant centres. To maintain this network the establishment or expansion of activity centres must be consistent with the designated role of the centre within the hierarchy and reflect its function relative to other centres. The development of viable levels of floorspace within each centre is supported, provided that the designated role of other centres is not compromised and that it does not adversely impact upon the ability of other centres to regenerate or respond to change. In particular, the development of the Eastern Activity Precinct as the primary (rather than a secondary) retail centre is not supported. Nor is the development of other centres in Warrnambool to the extent that the primacy or viability of the City Centre is compromised.
This will require that Council use a range of available planning measures to maintain the role and function of the current hierarchy of centres in order to ensure that the overall community benefit that flows from the hierarchy is maintained and enhanced.

**Warrnambool's activity centre hierarchy**

A framework for the composition, scale, form and diversity of each of the activity centres within the activity centre hierarchy is outlined in the following table.

<table>
<thead>
<tr>
<th>Activity centre classification</th>
<th>Activity centre/s</th>
<th>Retail classification</th>
<th>Expected types of development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Activity Centre</td>
<td>Warrnambool City Centre</td>
<td>Primary Retail Centre (offering the widest range of discretionary goods and services)</td>
<td>Retail: Department store, discount department store(s), supermarket(s), mini-major(s), convenience store(s) and the greatest concentration and range of specialties and retail services. Some higher-order bulky goods or large format retail. Offices and commercial: Government offices and service providers’ facilities, as well as professional and business services. Leisure and Entertainment: Cinemas, bowling alley, cafes and restaurants, late night entertainment venues, hotels, taverns and tourism facilities. Community Services: Health facilities, medical services, community services and education services.</td>
</tr>
<tr>
<td>Major Activity Centre</td>
<td>Eastern Activity Precinct</td>
<td>Secondary Retail Centre: Gateway Plaza and other retail (providing weekly goods and services and a range of discretionary goods)</td>
<td>Retail: Discount department store(s), supermarket(s), mini-major(s), convenience store and specialties and retail services. Other commercial: Offices, cafes, take away food premises, petrol station and carwash. Community and Leisure: Childcare centre, medical centre and gymnasium.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Principal Bulky Goods Precinct (providing a wide range of infrequently-purchased, large, discretionary household goods)</td>
<td>Retail: Large restricted retail premises, with provision for a limited Convenience Node. Opportunity also for a limited number of large format retail shops with a minimum floor area of 1,000 square metres (shops in the form of superstores - not discount department stores or supermarkets) in the Warrnambool Homemaker Centre. Other commercial: Showroom development encompassing: building or trade supplies, rural and farm machinery supplies and highway sales such as auto-sales, caravan or boat sales. Supporting office development is encouraged.</td>
</tr>
<tr>
<td>Neighbourhood Activity Centre</td>
<td>Northpoint Village Dennington</td>
<td>Neighbourhood Centre (providing weekly goods and services)</td>
<td>Retail: Supermarket, convenience store and supporting specialties and retail services. Other commercial: Offices, cafes, take away food premises, petrol station and carwash. Community and Leisure: Childcare centre, medical centre, gymnasium and other leisure activities.</td>
</tr>
</tbody>
</table>
Warrnambool activity centre hierarchy: role and function of centres

<table>
<thead>
<tr>
<th>Activity centre classification</th>
<th>Activity centre/s</th>
<th>Retail classification</th>
<th>Expected types of development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Centres</td>
<td>Allansford</td>
<td>Convenience Centre (providing daily goods and services)</td>
<td>Retail: Convenience store and supporting specialties. Other commercial: Petrol station, carwash, take away food premises. Community and Leisure: Childcare centre, medical centre, gymnasium and other leisure activities.</td>
</tr>
<tr>
<td></td>
<td>Merri River</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>North Growth Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Future nodes in employment areas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience Nodes</td>
<td>Existing isolated stores or shops</td>
<td>Convenience Node (providing ancillary goods and services to a small or specialised catchment)</td>
<td>No provision is made for the expansion of retail or commercial areas around existing isolated stores or shops, rather encouraging clustering of complementary discretionary uses around these nodes. Tourism nodes are provided to strengthen significant tourism developments, to establish niche lifestyle, hospitality and specialty retail goods and services.</td>
</tr>
<tr>
<td></td>
<td>Tourism retail (proposed for Fletcher Jones, the Harbour precinct and the former Woollen Mill site)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Objective 1

To ensure that the development of existing and future activity centres in Warrnambool supports the consolidation of urban settlement, in line with the Warrnambool Strategic Framework Plan at clause 21.01 and the designated activity centre hierarchy, and contributes to the economic, social and environmental sustainability of Warrnambool and southwest Victoria.

Strategies

- **Strategy 1.1**: Require all new retail and commercial floorspace to be located in a centre appropriate to the role and function of the centre.
- **Strategy 1.2**: Ensure the expansion of centres does not compromise the viability of other centres and results in a net community benefit.
- **Strategy 1.3**: Enhance the diversity of centres and broaden the range of facilities available in each, within the defined role of the centre in the hierarchy.
- **Strategy 1.4**: Expand the activity centre network to provide for the development of new neighbourhood centres and local centres in growth areas and isolated communities.
- **Strategy 1.5**: Ensure neighbourhood and local or convenience centres are of a sufficient scale to accommodate a range of goods and services appropriate to their role, enabling a choice of destination in Warrnambool for basic items and services.

Objective 2

To recognise the important roles of Warrnambool’s activity centres as a social focus for residents across Warrnambool’s Regional Catchment Area, as a means of addressing social needs of communities.

Strategies

- **Strategy 2.1**: Ensure that existing and future activity centres are supported by an accessible, convenient and direct public transport bus network.
- **Strategy 2.2**: Ensure the development of activity centres fosters a high quality urban environment that increases the liveability and amenity of the municipality.
- **Strategy 2.3**: Facilitate the development of activity centres which are integrated and within walkable distances to surrounding neighbourhoods.
- **Strategy 2.4**: Facilitate the development of attractive, high-amenity public realm within centres, and a safe and high-quality interface with adjacent sites and surrounding neighbourhoods.
- **Strategy 2.5**: Facilitate the diversification of activities within each centre to encompass a wider range of retail, commercial, community, entertainment, hospitality, institutional, housing, leisure and tourism activities.
Strategy 2.6 Encourage the integration of a vehicle circulation system in each centre with surrounding roads and development sites.

Strategy 2.7 Ensure new pedestrian and bicycle networks deliver direct and safe connections between developments from ‘door to door’ and from public road reserves to building entries.

Strategy 2.8 Ensure the layout and design of new developments maximises pedestrian access to and from the centre into surrounding neighbourhoods, by ensuring the residential road network ‘feeds into’ the road network servicing commercial developments.

Implementation

Strategies relating to activity centres will be implemented by:

Application of zones and overlays

- Applying the Commercial 1 Zone to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

- Applying the Commercial 2 Zone to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

- Applying the Commercial 1 Zone, the Commercial 2 Zone or the Mixed Use Zone to activity centres and commercial precincts.

- Apply Design and Development Overlays to areas requiring specific design solutions.

Future strategic work

- Review land uses and zoning within the Northpoint Village Neighbourhood Activity Centre precinct.

Reference documents

Warrnambool City Centre Revitalisation - The Structure Plan (2012)
Plan 1: Warrnambool Activity Centre Network
Plan 1a: City Centre: Principal Activity Centre

Plan 1b: Eastern Activity Precinct: Major Activity Centre
Plan 1c: Northpoint Village: Neighbourhood Activity Centre

Urban growth

Supply of urban land

Warrnambool’s urban settlement boundaries are identified on the Warrnambool Strategic Framework Plan at clause 21.01.

There is sufficient land available to meet forecast demand across the City of Warrnambool. Consumption of residential, commercial and industrial land will continue to be monitored to ensure there is sufficient land supply to meet future demand, and identify any impediments to the delivery of allotments in the short-term.

Warrnambool City is forecast to grow at 1.4% per annum over the next 20 years. By 2031, the City is expected to be home to approximately 43,000 people. Based on forecast growth and household sizes, 225 new dwellings need to be constructed per year to meet demand.

In 2015, Council estimated that residential land within urban settlement boundaries had approximately two years supply of development-ready minor infill residential lots and around 25 years supply of zoned residential land across the municipality.

There is sufficient commercial and industrial land available to meet forecast demand within the City Centre, activity centres and the Eastern Industrial Precinct.

Planning for growth areas

Warrnambool’s greenfield growth areas are identified on the Warrnambool Strategic Framework Plan at clause 21.01.

The development of greenfield growth areas provides an opportunity to provide a variety of dwelling types with varying development densities. The use of smaller lot sizes and housing close to community services will be particularly appropriate for the ageing and student populations. Structure planning of these areas and the application of appropriate development controls will ensure that
these areas are developed in a sustainable manner and make a positive contribution to Warrnambool as a whole. Development contributions plans will also facilitate appropriate infrastructure provision in terms of roads, drainage, utilities and community infrastructure.

**Objective 1**

To direct urban growth to identified growth areas in order to protect productive rural areas and achieve a more compact sustainable urban area.

**Strategies**

- **Strategy 1.1** Ensure that development is located and consolidated within settlement boundaries.
- **Strategy 1.2** Support increased residential densities in greenfield growth areas within close proximity to existing and/or planned transport corridors, activity centres and open space.
- **Strategy 1.3** Ensure new residential neighbourhoods provide a mix of housing suited to the needs of a diverse range of household types.

**Objective 2**

To ensure that rural living and low density residential development are environmentally sustainable.

**Strategies**

- **Strategy 2.1** Discourage rural living and low-density residential subdivision where it would prejudice long-term residential development.
- **Strategy 2.2** In Bushfield, Woodford and Allansford, limit rural living development and low-density residential development to existing zoned land.

**Objective 3**

To manage land use conflicts at the urban / rural interface and development pressures at the edge of Warrnambool’s settlement boundary.

**Strategies**

- **Strategy 3.1** Ensure agricultural uses in urban / rural interface areas are protected from non-agricultural uses.

**Implementation**

Strategies relating to urban growth will be implemented by:

**Application of zones and overlays**

- Applying the General Residential Zone to provide a diversity of housing types within growth areas.
- Applying the Neighbourhood Residential Zone within the Coastal Hopkins Growth Area to ensure that development respects identified environmental and landscape characteristics.
- Applying the Development Plan Overlay to growth areas to implement adopted structure plans.
- Applying the Development Contribution Plan Overlay to growth areas to collect development contributions towards community infrastructure, as appropriate.

**Future strategic work**

- Investigate green wedge style planning controls for the purposes of protecting agricultural uses in urban / rural interface areas.
- Prepare a Structure Plan for the South Dennington Growth Area.
- Prepare a Structure Plan to guide development within the future urban growth corridor (land East of Aberline Road).
- Prepare Strategic Framework Plans for land north of Wangoom Road, the Logans Beach area, Allansford, Bushfield and Woodford.
Reference documents

Warrnambool City-Wide Housing Strategy (2013)
North East Warrnambool Growth Area Structure Plan (2008)
Coastal Hopkins River Growth Area Structure Plan (2008)
North of the Merri River Growth Area Structure Plan (2011)
North Dennington Growth Area Structure Plan (2014)

Open space

Warrnambool’s open space network is identified on the Warrnambool Strategic Framework Plan at clause 21.01.

There are over 200 open spaces in Warrnambool, including a number of open spaces of regional significance. Lake Pertobe and the Warrnambool Foreshore are key recreational spaces that also offer substantial tourism and environmental benefits to the City.

The Port Fairy to Warrnambool Rail Trail provides off-road walking and cycling opportunities to residents and visitors, and is identified as a Regional Trail in the Barwon South West Regional Trails Master Plan. Important regional sports reserves include Albert Park and the Brierly Recreation Reserve.

While the overall provision of open space in Warrnambool is good, there are some areas where residents do not have access to open space within walking distance of home. Connectivity between open spaces and access to off-road trails are also key areas to be improved.

Objective 1
To develop an open space network that protects a range of natural and cultural environments and contributes positively to biodiversity and water quality.

Strategies

Strategy 1.1 Ensure development adjacent to public open space provides clear separation between public and private land.
Strategy 1.2 Ensure development does not reduce public access to open space.
Strategy 1.3 Ensure development enhances a sense of safety by maximising interaction, passive surveillance and incidental lighting of open space.
Strategy 1.4 Ensure development does not compromise the ecological integrity of the Merri River, Hopkins River and Russell’s Creek corridors, and the coastal reserves.
Strategy 1.5 Incorporate and protect sites with high environmental or cultural values in the open space network as the opportunity arises.

Objective 2
To provide a diverse, well-connected network of parks that residents can access close to home.

Strategies

Strategy 2.1 Seek to fill gaps in open space provision and accessibility. Priority areas include the residential area west of Mahoneys Road, the Central Business District and adjoining residential grid, southeast Warrnambool (north of the railway line), and west Warrnambool close to the Princess Highway.
Strategy 2.2 Identify and address key connectivity gaps including those mentioned in the Warrnambool Open Space Strategy (2014) with priority given to providing continuous open space corridors along Russell’s Creek and the Merri River.

Implementation

Strategies relating to open space will be implemented by:
Policy guidelines
- Require land along urban waterways to be vested in Council to provide a drainage corridor (with secondary passive open space functions).

Application of zones and overlays
- Applying the Public Park and Recreation Zone or Public Conservation and Resource Zone to areas identified as public open space.

Reference documents

Warrnambool Open Space Strategy (2014)
ENVIRONMENT AND LANDSCAPE VALUES

This Clause provides local content to support Clause 12 (Environmental and Landscape Values) of the State Planning Policy Framework.

Biodiversity

Warrnambool's natural environment reflects its location on the magnificent Southern Ocean Coast. The City is home to a number of threatened species of flora and fauna on land and in aquatic environments.

The coastline supports an impressive range of environmental values. Areas of coastal vegetation provide important wildlife habitat and corridors for vulnerable and threatened flora and fauna species. In addition, Warrnambool’s coastline adjoins a number of ecologically important areas including the Southern Right Whale nursery off Logans Beach and the Merri Marine Sanctuary.

The Merri River, Hopkins River and associated wetlands and floodplains form a highly significant coastal wetland system that provides important habitat for many Flora and Fauna Guarantee Act 1988 and Environment Protection and Biodiversity Conservation Act 1999 listed species.

Middle Island, located within the mouth of the Merri River is particularly significant, providing nesting areas for Little Penguins, Little Pied Cormorants, Short-tailed Shearwaters and roosting areas for transient seabirds such as the Pacific Gull.

The Lower Merri River Wetlands (Kelly’s Swamp, Saltwater Swamp and the South Warrnambool Wetlands) are listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA) and the BONN Convention.

Lake Gillear is a significant lake located approximately 11 kilometres east of Warrnambool, close to the coast. It is surrounded by farming and recreational facilities that have the potential to impact on the natural and cultural values of the lake. Erosion, runoff, and the need to protect native vegetation, are significant issues that require ongoing attention. Starlight Cave, one of only two maternity caves for the Common Bent-wing Bat in Victoria, is located within close proximity to Lake Gillear.

Further urban development, the introduction of pest plants and animals have the potential to impact on biodiversity. Agricultural activities have the potential to impact upon water quality, such as the nutrient enrichment of waterways that can impact on native aquatic species.

Key issues

- Recognising, protecting and enhancing biodiversity conservation areas.
- Managing urban and rural pressures on coastal areas, waterways and sensitive ecosystems.

Objective 1

To recognise, protect and enhance the natural environment and habitats.

Strategies

- **Strategy 1.1** Recognise, protect and enhance sites of significance for their specific biodiversity values.
- **Strategy 1.2** Support environmentally sustainable practices and uses particularly in agricultural areas and those areas identified with high salinity.
- **Strategy 1.3** Require development to be directed away from wetlands and rehabilitate urban waterways to protect and enhance sensitive ecosystems.
- **Strategy 1.4** Improve natural habitats on public land and encourage revegetation on private land and in aquatic systems within the city.
- **Strategy 1.5** Facilitate the creation of wildlife corridors through the provision of a network of open space.
- **Strategy 1.6** Protect the natural and cultural values of Lake Gillear and adjacent land.
- **Strategy 1.7** Protect Starlight Cave through low impact and low density land use and development.
Implementation

The strategies in relation to biodiversity will be implemented through the planning scheme by:

Policy guidelines

- When deciding on an application for use and development that may impact on the environment, the responsible authority will consider as appropriate:
  - Any regional catchment strategies approved under the *Catchment and Land Protection Act 1994* and any associated implementation plan or strategy including any regional river health and wetland strategies.
  - Recommendations of the *Warrnambool Coastal Management Plan (2013)*.

Application of zones and overlays

- Applying the Public Conservation and Resource Zone to publicly owned river corridors, wetlands, floodplains, and coastal reserves.
- Applying the Environmental Significance Overlay over the coastal reserve, rivers, land adjacent to river corridors and wetlands and other significant habitats.
- Applying the Vegetation Protection Overlay to areas containing significant flora.

Future strategic work

- Identify and map flora and fauna biodiversity values across the municipality.

Reference documents

- *Warrnambool Environmental Sustainability Strategy 2008-2013*
- *Glenelg Hopkins Regional Catchment Strategy 2012-2018*
- *Warrnambool Open Space Strategy (2014)*
- *Warrnambool Coastal Management Plan (2013)*

Native vegetation management

Extensive clearing of native vegetation in the years since European settlement has drastically reduced the extent and quality of habitat for native species.

Further development pressure, particularly on land adjacent to the coast and waterways, has the potential to impact on remnant native vegetation.

The Francis Tozer Reserve located on Wangoom Road, Warrnambool, is recognised as an important example of remnant native grassland and should be preserved as a community education resource.

Key issues

- The decline and fragmentation of native vegetation is a key issue in the municipality and a contributing factor towards many other land and water degradation issues.

Objective 1

To ensure development recognises, protects and enhances native vegetation values.

Strategies

**Strategy 1.1**  
Protect remnant vegetation, especially in habitat corridors, associated with drainage lines, stream frontages and on roadsides and protect, in particular, those Ecological Vegetation Classes rated as having either high or very high conservation significance, and habitat corridors or areas identified as habitat for rare and threatened flora and fauna species.

**Strategy 1.2**  
Require revegetation along waterways and floodplains using original Ecological Vegetation Class species, with the inclusion of understorey species.

**Strategy 1.3**  
Contain the spread of noxious and pest weeds and progressively reduce the areas affected.
Implementation

The strategies in relation to native vegetation management will be implemented through the planning scheme by:

Policy guidelines

- When deciding on an application for use and development that may impact on the environment, the responsible authority will consider as appropriate:
  - Any regional catchment strategies approved under the *Catchment and Land Protection Act 1994* and any associated implementation plan or strategy including any regional river health and wetland strategies.
  - Recommendations of the *Warrnambool Coastal Management Plan (2013)*.

Application of zones and overlays

- Applying the Public Conservation and Resource Zone to publicly owned river corridors, wetlands, floodplains, and coastal reserves.
- Applying the Environmental Significance Overlay over the coastal reserve, land adjacent to river corridors and wetlands, and other significant habitats.

Future strategic work

- Identify and map flora and fauna biodiversity values across the municipality.
- Prepare Native Vegetation Management Plans for land within the coastal reserve.

Reference documents

- *Warrnambool Environmental Sustainability Strategy 2008-2013*
- *Warrnambool Coastal Management Plan (2013)*

Coastal areas

Protection of coastal areas

Warrnambool is situated on one of the most spectacular sections of the southwest Victorian coastline. The coast has significant cultural values for both Aboriginal and European heritage and is also valued highly for its environmental, recreational and tourism aspects.

The coastal area encompasses a range of impressive landscape features including the ancient dune systems of Thunder Point and Pickering Point, the wave dominated Merri and Hopkins River estuaries, brackish wetlands and the both rugged and sheltered beaches of Lady Bay; forming part of what is known as Victoria’s ‘shipwreck coast’.

Warrnambool’s coastal environment exists within close proximity to, or integrated within, the urban environment and is considered one of the city’s most valuable assets, supporting a diverse range of environmental, cultural and recreational values.

The coastal foreshore, Lake Pertobe and the Breakwater Activity Node have significant conservation and coastal recreation functions.

The Logans Beach area, located east of the Hopkins River, is recognised internationally for the viewing of the Southern Right Whale. The whale nursery provides a unique opportunity for the viewing of whales. In addition, the area is of high environmental and landscape amenity. Access requirements to the whale viewing area are likely to grow in the future as visitor numbers to Warrnambool increase.

The Hopkins River and Coastal Environment growth area has unique environmental qualities and appropriate planning provisions are in place to ensure the qualities of the coastal environment are not compromised by new development.
Coastal Crown land

Warrnambool City Council is the Committee of Management established under the Crown Land (Reserves) Act 1978 to manage Warrnambool’s coastline that stretches approximately 12.7 kilometres from Levy’s Point Coastal Reserve in the west, to Logans Beach in the east.

The Warrnambool Coastal Management Plan 2013 provides for the future use, development and management of Warrnambool’s coastline. The Warrnambool Coastal Management Plan 2013 identifies prominent environmental, cultural and recreational values found along Warrnambool’s coastline, defines management precincts, identifies key management issues affecting the coastline and provides prioritised management strategies aimed at achieving the plan’s vision.

Great Ocean Road region and coastal tourism

The Great Ocean Road region extends from Warrnambool to Torquay in the east, and northward to the Princess Highway. The Great Ocean Road Strategy (2004) designated Warrnambool as the western gateway to the Great Ocean Road region with capacity for residential and visitor accommodation growth.

Warrnambool’s role as a major destination for people travelling along the Great Ocean Road is recognised within the Victorian Coastal Strategy 2014 and the Great Ocean Road Destination Management Plan 2012. Tourists travelling along the Great Ocean Road arrive in Warrnambool via Hopkins Point Road or the Princes Highway.

The Bay of Islands Coastal Park extends into the eastern part of the municipality within close proximity to Lake Gillear. The Great Ocean Road (including the Bay of Islands Coastal Park) is listed on the Australian National Heritage List.

The Logans Beach area, located off Hopkins Point Road, plays a significant role from a cultural and recreational perspective, largely due to the Southern Right Whale nursery. Land-based whale watching attracts over 37,000 tourists annually to the City and is estimated to inject $2-2.5 million into the economy each year.

Key issues

- Warrnambool’s coastal reserves provide important wildlife habitat and corridors for vulnerable and threatened flora and fauna species.
- The Foreshore and Breakwater Activity Nodes provide important tourism and recreational opportunities.
- Infrastructure requirements for tourism development.

Objective 1

To protect and enhance the environmental values and significant features of coastal areas.

Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.1</td>
<td>Protect vantage points and view lines.</td>
</tr>
<tr>
<td>Strategy 1.2</td>
<td>Ensure sites of cultural significance, including Point Richie/ Moyjil, are protected.</td>
</tr>
<tr>
<td>Strategy 1.3</td>
<td>Support opportunities for sustainable use and development along the coast (within identified settlement boundaries).</td>
</tr>
<tr>
<td>Strategy 1.4</td>
<td>Ensure that new development within close proximity to coastal reserves responds to the characteristics of the coastal environment, demonstrating a high standard of contemporary expression and finish.</td>
</tr>
</tbody>
</table>

Objective 2

To ensure that the use of and access to the coastal environment is sustainable.

Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 2.1</td>
<td>Ensure developers of land adjacent to coastal Crown land provides public access at designated locations, through a network of access roads, tracks, boardwalks and paths.</td>
</tr>
</tbody>
</table>
Strategy 2.2  Ensure that privately owned coastal areas are planned and developed in a manner that respects the values of adjoining or nearby coastal Crown land.

Objective 3
To enhance and expand the tourism industry, while protecting the environmental, landscape and cultural values of the municipality and the lifestyle of its residents.

Strategies

Strategy 3.1  Support tourism and community access to the coast, without compromising the natural environment.

Strategy 3.2  Support the location of tourism development in appropriate urban areas where their impacts and infrastructure requirements can best be accommodated.

Strategy 3.3  Require new coastal tourism developments in non-urban areas to use high quality, low intensity, unobtrusive, site responsive buildings and works based on ecologically sustainable design principles.

Implementation
The strategies in relation to coastal areas will be implemented through the planning scheme by:

Policy guidelines
When deciding on an application for use and development on coastal Crown land, the responsible authority will consider as appropriate:


Application of zones and overlays

- Applying the Public Conservation and Resource Zone to coastal Crown land in recognition of flora and fauna values.

- Applying the Public Park and Recreation Zone to coastal Crown land in recognition of recreation values (including Lake Pertobe and between the Foreshore Activity Node and the Breakwater Activity Node).

- Applying the Environmental Significance Overlay over the coastal reserve in recognition of habitat values.

Future strategic work

- Review existing and investigate the application of new Significant Landscape Overlays along the coast to reflect the recommendations of the Coastal Spaces Landscape Assessment (2006).

- Investigate the potential of Hopkins Point Road to be developed as a major tourist gateway to the city.

- Prepare precinct plans to encourage coastal recreation uses between the Breakwater Activity Node and Foreshore Activity Node.

Reference documents

Coastal Spaces Landscape Assessment (2006)
Great Ocean Road Destination Management Plan (2012)
Warrnambool Coastal Management Plan (2013)

Significant environments and landscapes

River and estuarine environments
The Hopkins estuary is one of only three ‘Premier Rivers’ for fishing across Victoria. The Merri River is also a significant waterway within the Hopkins Basin.
The rivers have a range of social values including fishing, boating, camping, swimming, picnicking and bushwalking. In an economic sense the rivers are valued for the supply of water for agriculture (and their proximity to agricultural land), drinking water, tourism and fishing.

The South Warrnambool wetlands are significant coastal wetlands that form an important home for wildlife and native vegetation. The wetlands are of regional geological, flora, fauna and recreational significance. They are also of strong local Aboriginal, cultural and historic significance.

**Significant landscapes**

Warrnambool contains areas of great natural beauty. The community values the city’s landscape character. The ocean, the Merri River, the Hopkins River, inland hilltops and ridgelines, and surrounding rural areas can be viewed from numerous public areas and private dwellings throughout the city. Respect for the sharing of views, rather than necessarily the retention of all existing views, is an important issue.

Norfolk Island Pines lining the Princes Highway median and a number of other streets are an important local landscape feature. The coastal area is of outstanding cultural, environmental and recreational significance.

The natural landscape is an important asset of the municipality that requires protection from inappropriate use and development.

**Key Issues**

- The management of recreational, tourist and interpretive activities within the South Warrnambool wetlands.
- The management of urban impacts such as erosion, surface runoff and protection and restoration of indigenous vegetation on significant river and estuarine environments.
- The protection of significant landscapes and landforms from inappropriate development.
- Opportunities for sharing of views to the ocean, rivers and surrounding rural areas.

**Objective 1**

To protect the natural, cultural and visual values of significant natural environments.

**Strategies**

- **Strategy 1.1** To ensure that all new use and development proposals sustain and enhance estuary, river and lake water quality, nutrient and sediment load conditions. This is to maintain the capacity for scientific research and the operation of ecological systems, together with appropriate agricultural and recreational uses.

- **Strategy 1.2** To ensure that all new use and development proposals mitigate against any potential environmental or visual impact to the estuary or rivers and their environs and where possible achieve net environmental gain.

**Objective 2**

To protect distinct hilltops and ridgelines, other notable vantage points, and view lines from inappropriate development.

**Strategies**

- **Strategy 2.1** Require new development, including access roads and driveways, to be appropriately located to minimise visual impact.

- **Strategy 2.2** Encourage the protection and revegetation of prominent hilltops and ridgelines.

- **Strategy 2.3** Discourage development on prominent hilltops and ridgelines.

**Objective 3**

To retain and enhance coastal landscapes of high scenic value.
Strategies

Strategy 3.1  Maintain existing tree planting and carry out appropriate landscaping on all major approach routes and local streets.

Strategy 3.2  Identify and protect significant exotic and indigenous trees which contribute to the overall character of the city, including avoiding removal and lopping of such trees to facilitate the construction of buildings and works and installation of utility services.

Strategy 3.3  Protect all mature Norfolk Island Pines from removal and lopping.

Strategy 3.4  Require new development to be sited so that existing vistas throughout Warrnambool are not impeded.

Strategy 3.5  Prevent the degradation of scenic landscapes along the coast, river valleys and inland ridge lines.

Implementation

The strategies in relation to significant environments and landscapes will be implemented by:

Application of zones and overlays

- Applying the Public Conservation and Resource Zone to publicly owned river corridors, wetlands and floodplains.
- Applying the Environmental Significance Overlay over land adjacent to river corridors and wetlands, and other significant river and estuarine environments.
- Applying the Significant Landscape Overlay to protect significant landscapes and ridgelines.
- Applying the Design and Development Overlay to viewing corridors within urban areas.

Future strategic work

- Undertake a study to identify opportunities for sharing of views to the ocean, rivers and surrounding rural areas.
- Undertake a study to identify and protect significant exotic and indigenous trees that contribute to the overall character of the city.

Reference documents

* Glenelg Hopkins Regional Catchment Strategy 2013-2019
* Coastal Spaces Landscape Assessment (2006)
* Warrnambool Coastal Management Plan (2013)
Figure 1 - Environmental and landscape values
ENVIRONMENTAL RISKS

This Clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework.

Climate change impacts

Coastal inundation and erosion

The results of climate change, such as storm surge, inundation through sea level rise, and temperature increase pose some of the most significant threats to Warrnambool’s coastline including:

- Impacts to infrastructure.
- Erosion and cliff instability.
- Damage to places of cultural significance.
- Loss of native flora and fauna species.

Planning needs to take account of the risks associated with possible sea level rise in areas of known vulnerability and ensure that these risks are mitigated or avoided where possible.

Coastal acid sulfate soils are known to occur with the municipality. If left undisturbed, acid sulfate soils are largely benign. However, if disturbed, they can have a detrimental impact on the environment including the acidification of water and soil, poor water quality, dissolution of soil, rock and concrete, and corrosion of metals.

Key issues

- Adapting to the impacts of a changing climate.
- Managing the impacts of acid sulfate soils

Objective 1

To plan for and manage the potential coastal impacts associated with sea level rise and climate change.

Strategies

Strategy 1.1 Ensure that use and development proposals take into account and respond adequately to possible sea level rise and storm surge.

Strategy 1.2 Avoid development in identified coastal hazard areas susceptible to sea level rise and storm surge.

Implementation

The strategies relating to climate change impacts will be implemented by:

Application of zones and overlays

- Applying the Land Subject to Inundation Overlay to areas affected by possible sea level rise and storm surge.

Further actions

- Monitoring and continuing to plan for the impacts of climate change on the local environment in the context of broader climate change policy.
- Identify coastal areas susceptible to coastal acid sulfate soils and implement a management strategy.

Reference documents

*Warrnambool Environmental Sustainability Strategy 2008- 2013*
Floodplains

Floodplain management

The Merri River and Russells Creek floodplains affect large areas of land throughout the City and surrounding rural areas. The proper management of flood plains protects the natural environment and properties located in areas subject to inundation. The filling of flood prone land can significantly alter water flow within the floodplain.

Key issues

- The protection of floodplains from inappropriate development.
- The protection of life, property and community infrastructure from flood events.

Objective 1

To ensure that land use and development is directed to locations and carried out in ways that minimises its vulnerability to the threat of flood.

Strategies

- Strategy 1.1 Minimise development on flood prone land to avoid impeding or redirecting floodwaters.
- Strategy 1.2 Ensure that areas identified as being subject to inundation are planned and managed to reduce flooding and risks to life, property and community infrastructure.
- Strategy 1.3 Ensure that when drainage and flood protection works are constricted, that existing habitable buildings are protected from flooding in major storms.

Objective 2

To maintain the integrity of the Merri River and Russells Creek floodplains.

Strategies

- Strategy 2.1 Require floodplains to be incorporated into open spaces.
- Strategy 2.2 Discourage the filling of land that is subject to flooding.
- Strategy 2.3 Encourage the use of constructed wetlands as a means of storing floodwater, to improve water quality and contribute to natural habitats.
- Strategy 2.4 Ensure that new developments will not have an adverse impact on downstream properties and environments in terms of flooding and water quality.

Implementation

The strategies relating to floodplain management will be implemented by:

Application of zones and overlays

- Applying the Urban Floodway Zone to undeveloped urban land within high hazard major flood paths.
- Applying the Floodway Overlay to rural land and developed urban land within high hazard major flood paths.
- Applying the Land Subject to Inundation Overlay to land in flood storage or flood fringe areas.

Further actions

- Prepare floodplain management plans for the Merri River and Russells Creek floodplains.

Reference documents

- Dennington Flood Study (2007)
- South Warrnambool Flood Study (2007)
Soil degradation

Use of contaminated and potentially contaminated land

Warrnambool contains a number of sites that have been previously used for industry or the storage of liquid fuels. Known sites include the former Fletcher Jones factory on Raglan Parade, Warrnambool, former petrol stations at 435-439 Raglan Parade and 7-13 Merrivale Drive, Warrnambool, the former State Emergency Services Depot at 95-97 Nicholson Street, Warrnambool, the former Woollen Mills site on Harris Street, Warrnambool, and land at the Dennington Neighbourhood Activity Centre.

Erosion and landslip

Limestone cliffs, steeper earth slopes and coastal dunes along the main rivers and coast are susceptible to erosion as a result of landslip. A significant problem is the existence of slopes in excess of 20 degrees where further development and vegetation removal would compromise land stability.

Key issues

- Appropriate reuse of potentially contaminated land.
- Ensuring the ongoing protection of land susceptible to landslip.

Objective 1

To ensure potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Strategies

- Strategy 1.1 Ensure that applicants provide adequate information to demonstrate that potentially contaminated land is safe for use prior to the commencement of a sensitive use.

Objective 2

To ensure that use and development has regard to the potential for landslip.

Strategies

- Strategy 2.1 Ensure new buildings and works do not increase the risk of landslip on the land or surrounding land in areas where landslip risks have been identified.
- Strategy 2.2 Avoid vegetation removal in areas susceptible to landslip.
- Strategy 2.3 Discourage development on slopes in excess of 20 degrees.

Implementation

The strategies in relation to soil degradation will be implemented through the planning scheme by:

Application of zones, overlays and particular provisions

- Applying the Environmental Audit Overlay to potentially contaminated land, where appropriate.
- Applying the Erosion Management Overlay to land susceptible to erosion as a result of landslip.

Future strategic work

- Identify land that is susceptible to erosion as a result of landslip.

Reference documents

Glenelg Hopkins Regional Catchment Strategy 2013 - 2019
Noise and air

The historical development of Warrnambool has resulted in some industrial and residential areas being located adjacent to each other. Greater care is now taken to ensure that there are adequate separation distances between residential areas and industrial activity. Land use conflicts have occurred in the Merrivale area and options for visual and noise attenuation will be given high priority.

The Warrnambool Livestock Exchange, Wannon Water Water Reclamation Plant, Fonterra Milk Processing Plant in Dennington, Midfield Rendering Plant in Swinton Street, and the Warrnambool airport are industries of great significance to the economy of the area and need to be protected from residential encroachment. Similarly, the Premier Speedway and the Lake Gillear sporting area are important regional assets that need to be protected from residential encroachment.

The new Eastern Industrial Precinct located on Horne Road will also need to ensure that conflicts between the industrial area and the existing rural residential area to the east are minimised.

Air quality

State Environment Protection Policy recognises that where there are industrial air emissions, there may be unintended emissions that must be anticipated and allowed for (even with good pollution control technology and practice). Equipment failure, accidents and abnormal weather conditions are among the causes that can lead to emissions affecting sensitive land uses beyond the boundary of the source premises.

Separation distances seek to avoid the consequence of unintended industrial air emissions. An adequate distance should allow emissions to dissipate without unreasonable adverse impact on adjoining or nearby sensitive land uses.

Warrnambool City Council has taken a proactive approach to manage potential amenity impacts within identified separation distances. It is Council’s intention to give priority to the active management of identified separation distances to assist in the medium to long-term retention and continued viability of existing employment generating activities. The management of identified separation distances will also ensure that communities within close proximity to established industries and facilities are protected from off-site impacts such as dust and odour.

Key issues

- Protecting the community and the environment from the impacts of noise and air pollution.

Objective 1

To protect the community and the environment from the impacts of noise and air pollution.

Strategies

- **Strategy 1.1** Ensure that any air emissions from new or expanded use and development do not unreasonably affect the amenity of adjoining residential properties.
- **Strategy 1.2** Provide buffers between new industrial uses and residential areas in the form of public open space, roads, substantially landscaped areas of private land or similar means intended to limit visual and acoustic impacts.

Objective 2

To give priority to the active management of identified separation distances to assist in the medium to long-term retention and continued viability of existing employment generating activities.

Strategies

- **Strategy 2.1** Require suitable separation distances between land uses that reduce amenity and sensitive land uses.
Objective 3
To minimise conflict between the Eastern Industrial Precinct and the rural residential area to the east.

Strategies
Strategy 3.1 Provide buffers between new industrial and residential areas in the form of public open space, roads, substantially landscaped areas of private land or similar means intended to limit visual and acoustic impacts.

Objective 4
To limit sensitive uses in proximity to the Warrnambool Livestock Exchange, Wannon Water Water Reclamation Plant, Midfield Rendering Plant in Swinton Street, Warrnambool Airport, Premier Speedway and the Lake Gillear sporting area.

Strategies
Strategy 4.1 Discourage residential subdivision and development within 300 metres of the eastern boundary and 500 metres of the remaining boundaries of the Warrnambool Livestock Exchange.
Strategy 4.2 Discourage residential subdivision and development within 200 metres of Wannon Water’s Water Reclamation Plant.
Strategy 4.3 Protect the Premier Speedway and the Lake Gillear sporting area from encroachment by residential development.
Strategy 4.4 Ensure that flight paths associated with the Warrnambool Regional Airport are protected from the development of inappropriate obstacles to enable the safe and effective operation of the airport.

Implementation
The strategies in relation to noise and air will be implemented through the planning scheme by:

Application of zones, overlays
- Applying the Special Use Zone to land between existing residential development and the West Warrnambool Industrial Precinct (land in vicinity of Scott Street and Eccles Street).
- Applying the Design and Development Overlay to land within close proximity of the Premier Speedway.
- Applying the Environmental Significance Overlay to land within close proximity of Lake Gillear.
- Applying the Design and Development Overlay to land within close proximity of the Warrnambool Regional Airport.

Future strategic work
- Undertake a review of land uses within recommended separation distances to existing industry to provide guidance on the how land uses can be managed.

Bushfire
There are a number of settlements across the municipality which are at significant risk from bushfire, including the townships of Woodford and Bushfield, the coastal area of Warrnambool and the grassland interface of Warrnambool.

Extensive areas of grassland with pockets of bushland areas form the landscape across a significant area of the municipality. The continuous grassland landscape exists in close proximity to Warrnambool and surrounding townships, with a number of smaller settlements having a grass fire risk.
The grasslands exist across undulating terrain with slopes varying across the landscape. This landscape is prone to significant grassfires that in the correct conditions may become hard to suppress without the right mitigations in place across the municipality. This could place a number of townships at risk of grassfire penetration into these towns.

**Key issues**
- Identify and manage bushfire risk.

**Objective 1**
To ensure that land use and development is directed to locations and carried out in ways that minimise its vulnerability to the threat of fire.

**Strategies**
- **Strategy 1.1** Minimise the vulnerability of people and property to bushfire.
- **Strategy 1.2** Improve fire prevention and hazard management by:
  - Ensuring that adequate separation is maintained between vegetation and powerlines.
  - Reducing the vulnerability of residences by appropriate preventive measures.
  - Encouraging good standards of design and operating practices to minimise the occurrence and impact of uncontrolled fire.
- **Strategy 1.3** Ensure that the Bushfire Management Overlay covers land identified as being in an area of high fire hazard.
- **Strategy 1.4** Ensure that new development in small settlements and at the urban / rural interface is adequately designed and serviced to take into account the risk of uncontrolled fire.

**Objective 2**
To strengthen community resilience to bushfire by:
- Prioritising the protection of human life over other policy considerations when planning to create or expand a settlement at risk from bushfire.
- Applying a precautionary approach to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.
- Taking advantage of existing settlement patterns where new development will not expose the community to increased risk from bushfire.

**Strategies**
- **Strategy 2.1** Settlement planning decisions should prioritise protection of human life and respond to the following principles with regard to bushfire risk management:
  - Direct development to locations of lower bushfire risk.
  - Carefully consider development in locations where there is significant bushfire risk that cannot be avoided.
  - Avoid development in locations of high bushfire risk.
  - Avoid development in areas where planned bushfire protection measures may be incompatible with other environmental objectives.

**Implementation**
The strategies in relation to bushfire will be implemented through the planning scheme by:

**Application of zones and overlays**
- Applying the Bushfire Management Overlay to areas at risk of bushfire.

**Future strategic work**
- Investigate the application of the Bushfire Management Overlay to areas of the municipality where the risk to the community is greatest.
Reference documents

CFA Preferred Requirements: Water supplies and access for subdivisions in Rural Zones.

CFA Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township zones

CFA Planning Conditions and Guidelines for Subdivisions in bushfire-prone areas (2011)
NATURAL RESOURCE MANAGEMENT

This Clause provides local content to support Clause 14 (Natural Resource Management) of the State Planning Policy Framework.

Agriculture

Protection of agricultural land

Agriculture is an important element of the regional economy with 16 percent of the work force employed within the agriculture, fishing and forestry sector.

The dairy industry continues to be important in the western district with a number of important milk processing plants being located in and around Warrnambool.

Warrnambool is the centre of southwest Victoria’s growing dairy industry. Over 23 percent of Australia’s milk is produced within the region from approximately 1,370 dairy farms. Local dairy farmers have the immediate advantage of proximity to dairy processing plants, fertile soil and reliable rainfall.

The region has opportunities for growth in the areas of viticulture, horticulture and alternative agricultural production. The preservation of the maximum amount of the limited supply of agricultural land is necessary for the conservation and sustainable development of the area and the state’s economic resources. The preservation of agricultural land in large areas is also necessary to sustain the agricultural economy of the area and to support those industries that rely on agricultural products for processing.

It is important that rural areas are protected to ensure agricultural uses remain viable and to ensure the City’s unique rural character is protected from urban development. Unplanned urban growth into the rich farming land around Warrnambool should be discouraged as it may compromise the viability of the dairy industry and processing facilities and lead to land use conflict.

Appropriate management of the urban-agricultural interface will be required to protect farming operations and maintain a greenbelt around Warrnambool’s settlement boundary.

Key issues

- Maintaining the significance of agriculture in the local economy.
- Providing opportunities for agricultural diversity.
- Land use conflicts between rural and urban land uses.

Objective 1

To maintain a diverse and economically viable agricultural sector.

Strategies

Strategy 1.1 Protect agricultural land in sustainable and productive units.
Strategy 1.2 Support diversification of rural land uses that are consistent with sustainable land and water resource management.
Strategy 1.3 Support intensive agricultural industries having regard to soil and water quality, the adequacy of infrastructure and the location of sensitive uses.

Objective 2

To prevent land use conflicts between agricultural uses and sensitive uses and ensure that use and development does not prejudice agricultural industries or the productive capacity of land and supports the processing of agricultural products.

Strategies

Strategy 2.1 Protect productive agricultural land from encroachment by uses which will limit the productive capacity of land.
Strategy 2.2  Discourage the unplanned expansion of urban uses and development into agricultural areas.

Implementation
The strategies in relation to agriculture will be implemented by:

Application of zones and overlays
- Applying the Farming Zone to provide for the use of land for agriculture and to encourage the retention of productive agricultural land.

Policy guidelines
When deciding on an application for use and development, the responsible authority will consider as appropriate:
- Applying Clause 22.01 – *Rural dwelling excisions* to this Scheme.

Future strategic work
- Undertake further work to provide guidance on rural land uses, including a review of the rural areas within the municipality, to determine the most appropriate application of the rural zones.
- Investigate green wedge style planning controls for the purposes of protecting agricultural uses in urban / rural interface areas.

21.05-2

Water

Catchment planning and management
Warrnambool’s waterways are a significant environmental resource that must be protected from inappropriate development. The Hopkins and Merri River environs must be retained as natural drainage corridors with vegetated buffer areas wherever possible in order to perform their long term function as drainage areas, stream habitat and landscape areas.

The Hopkins River has its headwaters in the Great Dividing Range, reaching the coast at Warrnambool. At this location, it is a wide river in a steep valley. Indigenous groups still use the river for food and water, and it has spiritual and cultural significance.

The Merri River loops around the north and western parts of the city. The Lower Merri River Wetlands (Kelly’s Swamp, Saltwater Swamp and the South Warrnambool Wetlands) have regional geologic, flora and fauna significance, as well as local recreational value. The river itself has some poor water quality characteristics, but has environmental value for supporting native species. It has been adversely impacted by urban activity and requires suitable enhancement and restoration for it to become a more valuable component of the surrounding urban areas.

Russells Creek is an intermittent creek that is located entirely within the City of Warrnambool. The creek has recently been the subject of flood mitigation works. The upper reaches are in rural land and the creek has been degraded as a result of stock grazing and access to the creek. Housing estates border the creek corridor in most of the lower reaches. The environmental values of Russells Creek could be enhanced both in terms of the riparian vegetation, in stream rehabilitation and improved stormwater quality.

Key issues
- The impact of use and development on water resources and waterways.

Objective 1
To maintain and enhance the ecological health of Warrnambool’s water resources and waterways.

Strategies
Strategy 1.1  Require adequate buffers and reserves between waterways and new development.
Objective 2
To reduce sediment and nutrients entering waterways.

Strategies

Strategy 2.1 Control urban run-off to protect and enhance waterways.
Strategy 2.2 Improve stormwater quality and minimise stormwater run-off in urban and rural areas.
Strategy 2.3 Ensure that waste disposal systems for residential, industrial and commercial purposes are not detrimental to the environment.

Implementation
The strategies in relation to water will be implemented by:

Application of zones and overlays

- Applying the Public Conservation and Resource Zone to publicly owned river corridors, wetlands, floodplains, and coastal reserves.
- Applying the Environmental Significance Overlay over the coastal reserve, land adjacent to river corridors and wetlands, and other significant habitats.

Reference documents

Warrnambool Environmental Sustainability Strategy 2008 - 2013
Glenelg Hopkins Regional Catchment Strategy 2013 - 2019
BUiLT ENVIRONMENT AND HERITAGE

This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Specific requirements for activity centres and designated growth areas are also included within Clause 21.11 (Local Areas).

Urban environment

Urban design

The appearance of residential, commercial and industrial areas is considered important in maintaining a strong level of civic pride.

The siting and design of buildings can have a critical impact on visual appearance within urban streetscapes. Council is also committed to ensuring that ecologically sustainable development (ESD) principles influence the design, siting and servicing of all buildings.

A number of Design and Development Overlays have been implemented to recognise areas that require sensitive design solutions in areas such as Younger Street (west), Logans Beach, areas of South Warrnambool and the Coastal/Hopkins River Environment Growth Area.

View sharing is also an emerging issue within the municipality. The ocean, the Merri River, the Hopkins River, inland hilltops and ridgelines, and surrounding rural areas can be viewed from numerous public areas and private dwellings throughout the City. Respect for the sharing of views, rather than necessarily retaining all existing views, is an important characteristic of Warrnambool.

Design guidelines and Design and Development Overlays have been prepared to address this issue from the public realm and some private areas to the east of Merri Street, however a broader approach is required to address this issue across the municipality.

Council acknowledges that distracting and dominating signage and advertising, particularly in areas of high sensitivity including areas of heritage significance and along the Warrnambool City and township entrances, can impact public amenity.

Key issues

- High quality urban design outcomes.
- Consideration of view sharing.
- Providing for advertising signs that are in context with the scale of development, the surrounding environment and with the surrounding signage patterns.

Objective 1

To achieve urban design of the highest standard.

Strategies

Strategy 1.1 Support development that provides an appropriate degree of visual interest and design articulation and a high standard of amenity for residents.

Strategy 1.2 Require the siting (including setbacks and site coverage) of new development to respond to the opportunities, constraints and features of the site.

Strategy 1.3 Require new development to present integrated building forms that have a sense of address.

Strategy 1.4 Support new development that applies design techniques (including facade variation, contrast/repetition, colour, texture and detail) that will integrate a building with its surrounds and create attractive and interesting forms.

Strategy 1.5 Require that new development highlights key corners or intersections through the use of design projections, detailing and massing that presents to its surroundings and street frontages.

Strategy 1.6 Require landscaped areas as part of new development proposals which positively contributes to the appearance of built form and integrates development into the surrounds.
Strategy 1.7 Require advertising signage to be controlled in a manner that achieves its commercial objectives and makes a positive contribution to the overall presentation of the general streetscape.

Strategy 1.8 Industrial development should meet high standards of amenity and urban design that promote the attractiveness of the municipality.

Objective 2
To improve the appearance of the major entrances to urban areas.

Strategies

Strategy 2.1 Improve the visual quality of major transport routes in recognition of their role in influencing the local urban character, through such measures as signage consolidation and landscaping.

Strategy 2.2 Improve the major road entrances to Warrnambool to provide significant boulevard entrances to the City.

Strategy 2.3 Maintain the Princes Highway as the major boulevard entrance to Warrnambool and develop and maintain the Hopkins Highway and Caramut Road as secondary major boulevard entrances to Warrnambool.

Objective 3
To ensure that building heights maintain view lines to the coast.

Strategies

Strategy 3.1 Limit development heights to maintain coastal view lines from public spaces and respect scale and character.

Strategy 3.2 Promote view sharing between properties.

Objective 4
To protect the City’s natural environment and built heritage.

Strategies

Strategy 4.1 Ensure that the selective redevelopment of sites for units and townhouses complements the area’s heritage character, incorporates appropriate design standards and achieves high quality development.

Strategy 4.2 Ensure that infill development and redevelopment proposals are complementary to the inherent values of the sensitive landscape areas of the City.

Strategy 4.3 Maintain the current average lot size for lots within Rodger Place to ensure the semi rural aspect and environmental quality of the area.

Strategy 4.4 Encourage limited rural living and low-density residential development within existing zoned areas around Bushfield and Woodford.

Strategy 4.5 Limit the impact of residential development upon adjacent farmland, with the Rural Living Zone being maintained as an effective buffer between residential areas and surrounding farms in Bushfield and Woodford.

Strategy 4.6 Limit further development on the northern side of the Merri River from the main area of Bushfield and Woodford.

Implementation

Strategies relating to urban design will be implemented by:

Application of zones and overlays

- Applying the Design and Development Overlay Schedule (DDO2) to the land within the Logans Beach Area to specify requirements relating to the design and built form of new development.

- Applying the Design and Development Overlay Schedule (DDO5, DDO6, DDO7, DDO8, DDO9 and DDO10) within South Warrnambool to specify requirements relating to the design and built form of new development.

- Applying the Design and Development Overlay Schedule (DDO11) to land within Rodger Place, Bushfield to specify requirements relating to the design and built form of new development.
Applying the Design and Development Overlay Schedule (DDO12) to land within the Caramut Road Business Park Area and Entrance Precinct to specify requirements relating to the design and built form of new development.

Applying the Design and Development Overlay Schedule (DDO13) to the Younger Street (West) land to specify requirements relating to the design and built form of new development.

Applying the Design and Development Overlay Schedule (DDO14 - Protection of Ocean Views from the Public Realm: Raglan Parade) to specify requirements relating to the design and built form of new development.

Applying the Design and Development Overlay Schedule (DDO15 - Foreshore Design Character and View Sharing: Merri Street East) to specify requirements relating to the design and built form of new development.

Applying the Design and Development Overlay Schedule (DDO17) to land within the Coastal/Hopkins River Environment Growth Area to specify requirements relating to the design and built form of new development.

Policy guidelines
When deciding on an application for use and development, the responsible authority will consider as appropriate:

- Applying Clause 22.02 – Industrial development of this Scheme.

Future strategic work

- Develop a local policy to guide consideration of advertising signage in commercial and industrial areas, and areas of high sensitivity including areas of heritage significance and along City and township entrances.
- Prepare urban design guidelines for the established residential precincts to promote high quality design responses that recognise neighbourhood character.
- Undertake a study to identify opportunities for sharing of views to the ocean, rivers and surrounding rural areas.

Reference documents


Design Guidelines for Younger Street (2005)


Design for safety
Council recognises that the design of the built environment can influence the incidence of crime and feelings of safety within a city. Council also acknowledges that aspects of the natural and built environment can promote, or be a barrier to public health and wellbeing.

Key issues
- Recognising the role of design in increasing safety and the perception of safety of residents.

Objective 1
To ensure new development contributes to safe neighbourhoods.

Strategies

Strategy 1.1 Support the design of buildings, front fences, subdivisions, car parks and public open space that maximises natural surveillance to provide for safe neighbourhoods.
Objective 2
To enhance the presentation of streetscapes.

Strategies

Strategy 2.1 Support urban design that enhances the streetscape and promotes activity in the public realm.
Strategy 2.2 Support development that contributes to an active street frontage by use of porches, and low front fences.

Implementation

Future strategic work

- Investigate an appropriate planning control or local policy to guide consideration of planning permit applications for front fences.

Cultural identity and neighbourhood character

Central Warrnambool has increasingly become the focus for medium density redevelopment as urban consolidation is recognised as delivering important environmental, social and economic benefits. Within the inner residential areas there are buildings and streets of historic value and areas that combine a mix of housing, some of which makes a substantial contribution to the overall quality and character of the area.

It is acknowledged that failure to consider neighbourhood character has resulted in some development within the inner areas of Warrnambool being out of character with the area. Maintaining the overall character requires that new development respond to the site context and be effectively integrated with the existing architectural, historic and landscape character of the neighbourhood. Heritage and character considerations do not preclude infill development rather they add to the range of design considerations that should be considered and responded to.

Key issues

- Ensuring that the quality of the built environment is protected and enhanced.

Objective 1
To maintain neighbourhood character.

Strategies

Strategy 1.1 Protect the character of the existing residential precincts.
Strategy 1.2 Require that new development responds to site context.
Strategy 1.3 Require that new development integrates with the existing architectural, historic and landscape character of the neighbourhood.
Strategy 1.4 Require that building heights respect the scale and character of existing buildings.

Objective 2
To develop neighbourhoods with a strong sense of place with well designed attractive built form and landscape character.

Strategies

Strategy 2.1 Ensure development contributes to the character, identity and sense of place of the area, particularly in newly developing areas.
Strategy 2.2 Ensure new development is designed to address public spaces and enhance the public realm.
Implementation

The strategies in relation to cultural identity and neighbourhood character will be implemented through the planning scheme by:

**Application of zones and overlays**
- Applying the General Residential Zone to encourage development that respects the neighbourhood character of the area.
- Applying the Heritage Overlay to conserve and enhance heritage places of cultural significance.

**Future strategic work**
- Progressively undertake neighbourhood character assessments within established urban areas.

Sustainable development

The principle of a sustainable urban form is that the needs of the current generation are provided for without compromising the needs of future generations. A sustainable urban form is a compact urban environment that encourages increased public transport patronage as well as walking and cycling, has substantial benefits in reducing reliance on motor vehicles and has a consequent reduction in greenhouse gas emissions.

Council is committed to ecologically sustainable development principles especially in relation to water conservation, the minimisation of greenhouse gas emissions, protection of biodiversity assets and the protection of natural coastal resources.

**Key issues**
- Ensuring that ecologically sustainable development principles are considered in new development.

**Objective 1**
To minimise greenhouse gas emissions.

**Strategies**

**Strategy 1.1** Support developments that reduce energy and greenhouse gas emissions through the use of passive systems to achieve comfortable indoor conditions.

**Objective 2**
To promote water conservation principles.

**Strategies**

**Strategy 2.1** Require urban development to apply water sensitive urban design principles, including the option of managing stormwater through the use of constructed wetlands.

**Objective 3**
To provide a compact urban environment and a sustainable urban form.

**Strategies**

**Strategy 3.1** Facilitate urban development to be consolidated around activity nodes and public transport routes to reduce car dependency, and maintain the existing urban settlement boundary.

**Strategy 3.2** Provide solar oriented allotments and other sustainable design features as part of new subdivision developments.

**Strategy 3.3** Provide indigenous plant species and water sensitive urban design as part of subdivision, site layout, design and landscaping schemes for new developments.
Heritage

Heritage conservation

Warrnambool is of historic, architectural, botanical, industrial and social significance. Places in the City are of historic significance for its long history as a civic, cultural and service centre, and as a market, port and place of residence. The typical variety and large number of public buildings, shops, stores and residences dating from the nineteenth and twentieth century, reflect the continuing importance of Warrnambool.

Identified places in Warrnambool are of architectural significance for the range of domestic, civic and commercial structures which survive from the nineteenth and twentieth century, representing the diversity of social conditions and architectural styles over the 150 years of the City’s history and the work of local and metropolitan architects.

There are 26 heritage precincts where streetscape and character issues are a key consideration.

The Warrnambool Botanic Gardens located on Botanic Road, Warrnambool, and the many other public parks, along with early and fine street plantings, illustrate the scientific and recreational interest in botany and landscape.

Listed places in Warrnambool are of industrial significance as a focus for wool production, textiles and clothing manufacturing.

The social significance of Warrnambool is reflected in its schools, churches, clubs and societies.

Key issues

- Protecting and enhancing heritage places.

Objective 1

To identify, conserve and enhance items, places and areas of natural, built, cultural and indigenous heritage.

Strategies

- Strategy 1.1 Support the preservation of existing historic buildings and the use of high quality site responsive design.
- Strategy 1.2 Identify, protect and enhance Warrnambool’s heritage including individual buildings, heritage precincts, landscapes, trees and other items of cultural heritage significance.
- Strategy 1.3 Require that new development is consistent with the predominant scale of heritage buildings.

Objective 2

To conserve, maintain and enhance the character of heritage precincts, particularly individual listings and contributory elements in the Heritage Overlay.

Strategies

- Strategy 2.1 Support the conservation of prominent and intact early buildings.

Objective 3

To conserve and enhance significant trees, and rows of trees which are of aesthetic, historic or cultural value.

Strategies

- Strategy 3.1 Conserve and maintain the important landscape qualities in the precinct, including rows of mature Norfolk Island pine trees.

Implementation

The strategies in relation to heritage will be implemented through the planning scheme by:
Policy guidelines
When deciding on an application for use and development, the responsible authority will consider as appropriate:

- The local policy at Clause 22.03 – *Heritage Precincts* of the Warrnambool Planning Scheme.

Application of zones and overlays
- Applying the Heritage Overlay to sites, places and buildings of historic or cultural importance.

Future strategic work
- Continue to undertake heritage assessments for individual places and/or precincts within established areas.

Reference Documents

*Warrnambool Urban Conservation Study* (1983)


Aboriginal cultural heritage
Aboriginal people have occupied parts of the Glenelg Hopkins region for at least 11,000 years and probably for more than 60,000 years. Evidence of Aboriginal land use in the region includes scarred trees, stone arrangements, mounds, rock shelters, stone engraving sites, middens, rock paintings, surface scatters, fish traps, burial places, stone house sites, quarries and axe grinding places.

Indigenous heritage places are landscapes, sites and areas that are particularly important to Indigenous people as part of their customary law, developing traditions, history and current practices. All indigenous heritage places have associated indigenous heritage values. Maintaining heritage values and places is a vital part of the community’s ‘sense of place’, cultural identity and wellbeing. This is particularly true for Indigenous Australians, whose heritage creates and maintains links between ancestors, people and the land.

Three Aboriginal clans occupy the Warrnambool district. Many significant cultural sites are known to exist in Warrnambool, particularly along the coast and river valleys. Council recognises the need to appropriately protect Aboriginal sites.

Key issues
- To acknowledge the importance of indigenous cultural heritage in the area.

Objective 1
To promote the protection and appropriate management of Aboriginal cultural heritage values.

Strategies

**Strategy 1.1** Recognise, promote and protect the City's significant Aboriginal heritage.

Implementation
The strategies in relation to aboriginal cultural heritage will be implemented through the planning scheme by:

- Considering potential impacts on sites of Aboriginal heritage significance when assessing use and development applications and rezoning requests.
• Where there is a known Aboriginal archaeological site, requesting a report from a suitably qualified archaeologist detailing the impact of the proposal on the aboriginal cultural heritage values.

• Seek comment on the above report from the appointed Aboriginal authority.
HOUSING

This Clause provides local content to support Clause 16 (Housing) of the State Planning Policy Framework.

Specific references to activity centres and growth areas are also included in Clause 21.11 (Local Areas).

Residential development

Location of residential development

Established urban areas have the potential to accommodate further residential development. Large sites within established urban areas that are no longer needed for their original purpose may be suitable for residential redevelopment. For example, the reuse of former industrial sites (eg. the Warrnambool Woollen Mills redevelopment site) provides a wide range of opportunities to accommodate residential development.

There is capacity for more intensive forms of residential development within close proximity to open space, activity centres and along public transport routes.

The development of greenfield growth areas also provides an opportunity to develop a variety of dwelling types with varying development densities.

Growth areas for residential development include:

- North East Warrnambool Growth Area
- Coastal Hopkins Growth Area
- North Dennington Growth Area
- North of the Merri River Growth Area
- East of Aberline Road Future Urban Growth Corridor
- South Dennington Growth Area.

Land adjoining the Coastal Hopkins Growth Area (Logans Beach area) is a locality of high environmental and landscape amenity, and an important entrance to the city. Subject to further strategic work, the area has some capacity for further low density development, provided various constraints affecting the area are properly managed and respected.

The Logans Beach area is identified on the Strategic Framework Plan and Figure 1.

Objective 1

To locate new housing within close proximity to existing and/or planned transport corridors, activity centres and open space.

Strategies

Strategy 1.1 Support increased residential densities in greenfield growth areas and established urban areas within close proximity to existing and/or planned transport corridors, activity centres and open space.

Strategy 1.2 Encourage increased housing densities to be located within walkable catchments to public transport routes.

Strategy 1.3 Support the redevelopment of former industrial sites within established residential areas.

Strategy 1.4 Support residential infill development within established urban areas that complements the area's neighbourhood character and incorporates appropriate design standards.

Implementation

The strategies in relation to the location of residential development will be implemented through the planning scheme by:
Application of zones and overlays

- Applying the General Residential Zone to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Future strategic work

- Review residential areas in close proximity to industrial precincts to provide guidance on future residential development, including reviewing the extent of separation distances in conjunction with the Environment Protection Authority.
- Prepare a Structure Plan for the South Dennington Growth Area.
- Prepare a Structure Plan to guide development within the future urban growth corridor (land east of Aberline Road).
- Prepare a strategic framework plan for the Logans Beach area to establish its suitability for low-density residential development.

Housing diversity

Warrnambool has a diverse range of dwellings. Every 5 in 10 dwellings contain three bedrooms. Two bedroom and four bedroom dwellings each represent one in six of all dwellings.

Over the next two decades, Warrnambool’s population is projected to age and household sizes are expected to continue to get smaller. Dwelling sizes however, are anticipated to increase. By 2031, one quarter of the City’s dwellings could consist of four or more bedrooms. Careful planning is required to ensure future populations have access to a diverse range of housing options.

Objective 1

To provide housing diversity to meet community needs.

Strategies

- Strategy 1.1 Facilitate a range of different housing types in existing urban areas and greenfield growth areas.

Implementation

The strategies in relation to housing diversity will be implemented through the planning scheme by:

Application of zones and overlays

- Applying the General Residential Zone to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Future strategic work

- Prepare a Housing Diversity Strategy to ensure housing growth in established urban areas occurs in the right way and in appropriate locations.

Housing affordability

Access to affordable housing is a basic human right and a determinant of community health and wellbeing. The impacts of unaffordable housing are unevenly distributed across the community with sole parents, single people, young people, older people (>65 years) and children of sole parents experiencing the worst outcomes.

Affordable housing also has significant impacts on the liveability and economic prosperity of the community. A lack of affordable housing has a negative impact on workforce attraction and is a barrier to attracting tertiary students to the City.

The provision of social housing is an emerging issue that needs to be considered by the relevant agencies in future growth area planning.
Objective 1
To provide opportunities for affordable housing.

Strategies

Strategy 1.1  Provide more affordable accommodation opportunities through the designation of a range of housing styles as well as higher density housing such as townhouses, aged persons accommodation and commercial accommodation.

Strategy 1.2  Ensuring adequate land supply is available for residential development.

Strategy 1.3  Provide a diversity of housing types and lot sizes in locations that support appropriate access to employment, education, cultural, recreational, health and social services.

Future strategic work

- Investigate methods for addressing the availability of affordable housing in the municipality.
- Identify opportunities and mechanisms to provide additional social housing.

Reference documents

Warrnambool Affordable Housing Policy (2012)
Figure 1 - Logans Beach area
ECONOMIC DEVELOPMENT

This clause provides local content to support Clause 17 (Economic Development) in the State Planning Policy Framework.

Specific references to individual activity centres and growth areas are also included in Clause 21.11 (Local Areas).

Warrnambool is the Great South Coast Region’s main service centre for retail, business services, health and education.

Warrnambool is a major centre for food manufacturing with an emphasis on dairy products, sheep and beef processing. The Warrnambool region produces 25 percent of Australia’s milk and 30 percent of Victoria’s beef and lamb. Health care and social assistance are also significant in terms of output and are the biggest source of employment within the city. Employment within the retail trade and education and training sectors is also significant.

Commercial

In the past 20 years, there has been significant development in Warrnambool’s retail-commercial system. To 2031, substantial residential growth is expected to occur in the municipality, with the population increasing from 33,501 people to approximately 43,000 people. The level of population growth will drive historic changes to the city, by creating the opportunity to establish new higher-order retail stores, services and other facilities that serve the municipality as well as southwest Victoria.

There is a clear retail hierarchy in the municipality. The Warrnambool City Centre functions as the principal retail and commercial centre for the southwest region of Victoria. The municipality comprises other retail components including the Eastern Activity Precinct (which acts as a secondary retail centre) and a network of smaller centres ranging from small shopping centres to approximately 20 general and convenience stores.

The demand for bulky goods retailing is growing and has concentrated along the Princes Highway that offers large, level sites with a high degree of exposure. Future development needs to take into account the primacy of the Warrnambool City Centre and the need to ensure that all efforts are made to consolidate and strengthen the city centre’s retail and other service functions, particularly as this is the principal centre servicing the surrounding catchment and the wider southwest region of Victoria.

New investments present unique opportunities for the revitalisation of the Warrnambool City Centre, where new retail developments serving regional and city-wide catchments can strengthen a wide range of complementary sectors by facilitating further investment, development, upgrade and renewal.

Out of centre development

To ensure Warrnambool’s activity centre network develops as a consolidated activity centre system, further retail and commercial development should generally only occur within existing designated activity centres.

Where uses cannot be accommodated within existing centres, edge of centre locations may be considered if there are direct physical and visual linkages between the site and the existing commercial area.

Discretionary uses in residential zones should be located preferably in clusters within 400 metres of designated activity centres or convenience nodes, to minimise impacts on surrounding residential areas, contribute to accessibility, enhance the range of services available close to each centre and contribute to the diversification of its role.
Objective
To maximise the City's regional role as the pre-eminent retailing, administrative, health and professional services, education, hospitality and tourism focus in southwest Victoria.

Strategies

Strategy 1.1 Reinforce the identified Warrnambool activity centre hierarchy as outlined in Clause 21.02.
Strategy 1.2 Require that the existing and future provision and development of activity centres consider the established network of activity centres in the city and the regional role of Warrnambool's City Centre.
Strategy 1.3 Require all new retail use and development to be assessed against the planned role of that centre as specified by the activity centre hierarchy at clause 21.02.
Strategy 1.4 Require that the use, development, and expansion of activity centres is orderly and does not adversely impact upon the vitality, viability and identified role of established centres.
Strategy 1.5 Facilitate and support the development of activity centres that are constrained in growth due to structural issues so that the hierarchy can be maintained.
Strategy 1.6 Require the establishment and management of new centres, and especially new major anchor stores and uses within centres, in a manner which maintains the retail role of each activity centre as envisaged by the activity centre hierarchy at clause 21.02.
Strategy 1.7 Discourage the establishment of isolated or stand-alone retail and commercial sites.

Implementation
The strategies in relation to commercial use and development and out of centre development will be implemented through the planning scheme by:

Policy guidelines
- Ensure that retail and commercial uses are located within existing identified activity centres identified by the activity centre hierarchy at clause 21.02.
- Ensure that where a permit is required for proposals, they are generally in accordance with any structure plan, urban design framework or similar document for the activity centre.

Application of zones and overlays
- Applying the Commercial 1 Zone to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- Applying the Commercial 2 Zone to encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- Applying the Commercial 1 Zone, the Commercial 2 Zone or the Mixed Use Zone to activity centres and commercial precincts.

Future strategic work
- Undertake a review of the Warrnambool Retail Strategy (2007).

Industry
Warrnambool boasts a strong industrial sector, functioning as the regional service centre for the southwest region of Victoria. A combination of population growth and strong growth in a range of industrial sectors, including traditional and emerging industries such as wind and natural gas energy production, has seen land available for industrial purposes in critically short supply. To this end, the Warrnambool Industrial Land Review (2010) recognises the need to address the lack of industrial land supply within the city and identifies appropriate locations for new industrial land to meet demand over the next 15 years. In particular, the Warrnambool Industrial Land Use Review (2010) identified a location for a new industrial hub, noting that existing industrial areas within the city were nearing capacity.
The Eastern Industrial Precinct is identified as the most appropriate location to accommodate a new industrial hub. Consisting of approximately 107 hectares, this precinct will be delivered in a staged manner that enables immediate delivery of industrial zoned land to meet current demands.

Agriculture is an important element of the regional economy. The preservation of agricultural land in large areas is necessary to sustain the agricultural economy of the area and to support those industries which rely on agricultural products for processing.

The *Warrnambool Industrial Land Use Review (2010)* notes the need to ensure that a high quality built form and streetscape character is delivered with the development of the Eastern Industrial Precinct, and that offsite amenity impacts, particularly impacts to the rural-residential area to the east of the Eastern Industrial Precinct, are carefully managed and minimised. In order to service this new precinct, careful consideration of infrastructure requirements is necessary, including road upgrades (particularly Horne Road and its connection to Mortlake Road) and drainage.

The West Warrnambool Industrial Precinct has been established for over 30 years and its key uses include manufacturing industry and associated uses; food production and sales; building and construction material manufacturing and supplies; transport logistics, including an intermodal freight terminal; warehousing, storage and depots; metal fabrication and recycling; and service industry and waste transfer.

The precinct is one of Warrnambool’s key employment precincts and contains the Midfield Meat Processing Plant (abattoir) and Warrnambool City Council’s municipal depot located on Scott Street. The development of the West Warrnambool Industrial Precinct has resulted in some industrial and residential uses being located within close proximity to each other. Careful management of this issue is required to ensure any offsite amenity impacts are minimised.

Warrnambool’s industrial precincts are identified on the *Strategic Framework Plan*.

**Objective 1**

To develop Warrnambool as a major food and dairy processing centre for Victoria.

**Strategies**

Strategy 1.1 Support the development of meat and dairy processing facilities as vital industries supporting the local agricultural sector.

Strategy 1.2 Maintain and encourage the establishment of industries such as agriculture and freight and logistics.

Strategy 1.3 Accommodate new and emerging industries associated with natural gas and wind powered energy production.

**Objective 2**

To ensure that there will be an adequate supply of industrial-zoned land with appropriate servicing capability.

**Strategies**

Strategy 2.1 Provide sufficient industrial land to be available for major enterprises.

Strategy 2.2 Provide land within the Eastern Industrial Precinct to cater for large-scale industry.

Strategy 2.3 Support opportunities for the expansion of industry and the provision of related infrastructure.

Strategy 2.4 Support complementary industries to be located adjacent to one another where possible to provide efficient use of infrastructure and coordination of activities.

**Objective 3**

To protect the amenity of residential areas from the effects of industrial activity, while not impeding the productivity of industrial enterprises.

**Strategies**

Strategy 3.1 Manage the interface between industrial and residential activities, particularly in regard to heavy vehicle traffic, industrial emissions, noise and visual setting.
Minimise land use conflicts by applying the State Government guidelines on separation distances.

Strategy 3.2

Require new industrial development to meet environmental controls, to be suitably buffered from residential zoned land and to be presented in an attractive landscaped setting.

Strategy 3.3

Support the location of industries within existing and planned industrial precincts.

Strategy 3.4

Objective 4

To encourage well planned industrial development with high standards of amenity, siting and design especially along major routes.

Strategies

Strategy 4.1

Improve all industrial areas through the development and maintenance of a high standard of landscaping.

Strategy 4.2

Provide appropriate design and siting guidelines to ensure all industrial development along highways, particularly along the east-west entrances to the city abutting the Princes Highway is of an attractive visual standard.

Implementation

The strategies in relation to industry will be implemented through the planning scheme by:

Policy guidelines

When deciding on an application for use and development, the responsible authority will consider as appropriate:

- Applying Clause 22.02 – *Industrial development* to this Scheme.

Application of zones and overlays

- Applying the Industrial 1 Zone and the Industrial 3 Zone to industrial precincts.
- Applying the Development Plan Overlay to new industrial precincts to ensure future industrial development incorporates a high level of accessibility, appropriate services and high quality urban design.

Future strategic work

- Prepare industrial building siting and design guidelines to encourage improved attractiveness of industrial sites and landscaping.
- Review the *Eastern Activity Precinct Local Structure Plan* to respond to the recommendations of the *Warrnambool Industrial Land Use Review (2010)*.
- Prepare a Development Contributions Plan for the Eastern Industrial Precinct.
- Continue to implement the *Warrnambool Industrial Land Use Review (2010)* by rezoning the balance of the Eastern Industrial Precinct to the appropriate zones, including the application of the Development Plan Overlay and the Development Contributions Plan Overlay.

Reference documents

*Warrnambool Industrial Land Use Review (2010)*

Tourism

Tourism is a significant economic driver in the region and Warrnambool has a range of natural and man-made tourism attractions. These include the strong maritime and built heritage, the natural assets of the coast and beaches, the Great Ocean Road, the Lady Bay area and the Southern Right Whale Nursery at Logans Beach. The Flagstaff Hill area is also an important tourism and education asset that comprises the Maritime Village Museum and associated facilities, including restaurants and motels.
The main tourism market within Warrnambool comprises the family beach holiday segment however, festivals such as Fun 4 Kids, the May Racing Carnival, the whale season and cultural tourism are areas for potential tourism growth.

Opportunities exist for coastal tourism development to the east of the city which would take advantage of the major scenic coastal opportunities while remaining sensitive to environmental and landscape values of the coast. The Lady Bay foreshore area and Lake Pertobe also provide significant opportunities for tourist oriented developments.

Lake Pertobe is one of Warrnambool’s main tourist attractions and is located centrally in the city. Lake Pertobe comprises three lakes, one of which is man-made, and the area was originally linked to the coast and received wash-over from Lady Bay. The lake is now connected to the Merri River through a narrow canal outlet. The two larger lakes (Mill and Middle lakes) have high environmental values. Reed beds surround the lake margins providing habitat for birds. Future planning should ensure that linkages between Lake Pertobe and the foreshore are strengthened.

Lifestyle resorts are a rapidly expanding component of the tourism market. These resorts, which provide both tourist and ancillary residential accommodation, provide Warrnambool with a significant opportunity to transform the tourism product in both Warrnambool and the broader region.

Cultural heritage tourism is a potential year round attractor for the area. Turning appreciation of Warrnambool’s history through is buildings, precincts, open spaces, events and collections into a heritage tourism product could be based on Flagstaff Hill, the Warrnambool Art Gallery, regional festivals and the heritage buildings of the city centre and its surrounds.

The Warrnambool Entertainment Centre (Lighthouse Theatre) and Warrnambool Art Gallery, located in Liebig Street Civic Precinct, provide a regional platform for cultural events. The Flagstaff Hill Maritime Village is a significant community asset, operating as a tourist attraction and educational resource. A significant entertainment precinct including restaurants, taverns and hotels is evolving, focused on the southern end of Liebig Street, adjacent to the civic buildings.

Key issues

- The impacts of a large influx of tourists needs to be considered in terms of balancing environmental impacts and pressure for development.
- The protection of those assets on which tourism depends, which is an important consideration in the future development of the city.

Objective 1

To develop Warrnambool as the western gateway to the Great Ocean Road Region and as a hub for exploring southwest Victoria.

Strategies

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.1</td>
<td>Improve the quality and quantity of tourist accommodation.</td>
</tr>
<tr>
<td>Strategy 1.2</td>
<td>Facilitate development of the Warrnambool Breakwater Precinct as a vibrant coastal recreation precinct.</td>
</tr>
<tr>
<td>Strategy 1.3</td>
<td>Improve visitor services and port facilities in the harbour area.</td>
</tr>
<tr>
<td>Strategy 1.4</td>
<td>Facilitate development of Flagstaff Hill as one of southwest Victoria’s iconic tourism facilities.</td>
</tr>
<tr>
<td>Strategy 1.5</td>
<td>Improve the tourism retail precinct in the Warrnambool City Centre whilst promoting and enhancing its heritage values.</td>
</tr>
<tr>
<td>Strategy 1.6</td>
<td>Support coastal tourism development that is environmentally responsive and easily accessible from Warrnambool.</td>
</tr>
<tr>
<td>Strategy 1.7</td>
<td>Require coastal and river development that optimises tourism potential in a manner that recognises the sensitive nature of these areas.</td>
</tr>
<tr>
<td>Strategy 1.8</td>
<td>Provide for the development of foreshore facilities based on Warrnambool’s maritime heritage and environment.</td>
</tr>
<tr>
<td>Strategy 1.9</td>
<td>Facilitate the development of a recreation precinct in the Lady Bay area that recognises the sensitive nature of the area.</td>
</tr>
<tr>
<td>Strategy 1.10</td>
<td>Facilitate the development of an entertainment precinct in Warrnambool based around the south end of Liebig Street.</td>
</tr>
</tbody>
</table>
Implementation

The strategies in relation to tourism will be implemented through the planning scheme by:

Application of zones and overlays

- Applying the Mixed Use Zone to new tourism precincts to encourage the establishment of a wider range of uses around these nodes.
- Applying the Schedule to the Mixed Use Zone to manage the extent of retail development in tourism precincts.

Gaming

Warrnambool has an extensive range of gaming venues and machines. Council wishes to control the number of venues and machines in Warrnambool, due to the significant social and economic impacts of gaming on the community.

Key issues

- The social and economic effects of gaming on the community.

Objective 1

To minimise the social and economic impacts of gaming on the community.

Strategies

Strategy 1.1 Discourage any further increases in either/or gaming venues and machines.
Strategy 1.2 In the event that a gaming venue ceases to operate, consider the replacement of gaming machines within a community based organisation, (e.g. a sporting club), and not in a commercial premises.

Future strategic work

- Review the Warrnambool Gaming Policy (2011) and implement into the Planning Scheme, as appropriate.
TRANSPORT

This Clause provides local content to support Clause 18 (Transport) of the State Planning Policy Framework.

Land use and transport planning

Warrnambool is serviced by a passenger and freight rail service to Melbourne, a school bus system and a local and regional bus service. The Warrnambool Airport is located approximately 11 kilometres northwest of the City within Moyne Shire. The Warrnambool Intermodal Freight Terminal is located within the West Warrnambool Industrial Precinct.

Warrnambool residents are reliant on personal motor vehicles for transport.

Council has adopted a Sustainable Transport Strategy to ensure a comprehensive approach is taken to both improve walking and cycling infrastructure and encourage residents and visitors to use these viable transport modes and public transport more often.

Key issues

- Increasing the use of sustainable transport modes by Warrnambool residents and visitors.

Objective 1

To plan for the provision of sustainable modes of transport including cycleways and pedestrian walkways in new development.

Strategies

Strategy 1.1  Ensure that structure planning for new growth areas and new development includes provision for sustainable modes of transport such as cycling and walking that is integrated and connected to existing transport routes and key community facilities such as schools, open space and shopping facilities.

Strategy 1.2  Require that residential subdivisions incorporate a road hierarchy that includes capability for public transport and access to nearby activity centres.

Strategy 1.3  Support and enhance public transport to and within Warrnambool.

Objective 2

To maintain, appropriately upgrade, and extend existing physical infrastructure that supports the use of active transport modes.

Strategies

Strategy 2.1  Develop and enhance key shared walking and cycling networks to encourage their use.

Strategy 2.2  Establish over the medium to long-term, shared pathways for pedestrian and bicycle users between major activity areas including along the foreshore, between Proudfoots Boathouse and Deakin University, and between the city and Allansford along the Princes Highway reservation.

Objective 3

To improve connectivity and safety of existing pedestrian and cycling routes to foster increased use of active transport modes.

Strategies

Strategy 3.1  Ensure the on-road cycling environment is strengthened and improved, include route upgrades and connectivity; improving safety such as bike parking facilities, pedestrian crossings and refuges, traffic speed, maps and signage.

Strategy 3.2  Ensure connectivity and safety along existing active transport routes across the municipality is improved, particularly to and from the central business district (city centre), beach/foreshore, shopping centre hubs, train stations and key community places and facilities.
Implementation
The strategies in relation to Transport will be implemented through the planning scheme by:

**Application of zones and overlays**
- Applying the Road Zone (RDZ1 & RDZ2) to identify significant existing roads.
- Applying the Public Use Zone (PUZ4) to identify rail corridors.

**Reference documents**
*Warrnambool Sustainable Transport Strategy 2010-2020*
Figure 1 – Transport
INFRASTRUCTURE

This clause provides local content to support Clause 19 (Infrastructure) of the State Planning Policy Framework.

Specific requirements for activity centres and growth areas are also included within Clause 21.11 (Local Areas).

Community infrastructure

Warrnambool has an extensive range of education, community and health services that enhance the lifestyle of local residents and serve an important regional role.

Health facilities

A comprehensive range of specialist medical and extended care services are present in Warrnambool, primarily at the South West Health Care Warrnambool Base Hospital (and surrounding Medical Services Precinct), St. John of God Warrnambool Hospital, and the Lyndoch Living and Gillin Park aged care facilities. The Warrnambool Base Hospital is located immediately to the west of the Warrnambool City Centre, has good access to public transport and other City services, and contributes to the vitality of the City.

An Integrated Cancer Care Centre is scheduled to open in 2016 that will provide integrated cancer care for Warrnambool and the surrounding region. The facility is located within the Medical Services Precinct opposite the Warrnambool Base Hospital.

Warrnambool’s health facilities are identified on the Strategic Framework Plan and Figure 1.

Objective

To develop Warrnambool as the key specialist health service centre of South West Victoria.

Strategies

Strategy 1.1 Support the expansion of the Warrnambool Base Hospital, St John of God Warrnambool Hospital and the Lyndoch Living and Gillin Park aged care facilities.

Strategy 1.2 Facilitate the co-ordinated expansion of the Warrnambool Base Hospital and the Medical Services Precinct to achieve an appropriate balance between the residential environment and the needs of the health sector.

Implementation

The strategies in relation to health facilities will be implemented through the planning scheme by:

Application of zones and overlays

- Applying the Public Use Zone (PUZ3) to support public health facilities.
- Applying the most appropriate zone to support private health facilities.

Further strategic work

- Investigate land use and policy requirements within the Medical Services Precinct.

Education facilities

There are six public Primary Schools, two public Secondary Schools, and one Special Development School within the city. There are a further six private Primary and Secondary Schools. The North of the Merri River Structure Plan (Warrnambool City Council, 2011) identifies that an additional Primary School will be required within the North of the Merri Growth Area.

The Deakin University campus and associated student accommodation is located on the eastern outskirts of the city. Deakin University also operates a public information centre in the Warrnambool City Centre offering course and general Deakin information to the wider community. The South West Institute of TAFE has two campuses located in Warrnambool. The main Warrnambool
campus is located within the Warrnambool City Centre. A training facility specialising in training programs for building trades and specialist industry training, is located on the eastern outskirts of the city adjoining the Deakin University campus.

The presence of these institutions provides the city with opportunities for a strong employment base and the encouragement of industrial and education related research facilities. It is important that the ongoing viability of these institutions is supported due to the social and economic benefits they provide to the city.

The Warrnambool Library is located within the Civic and Education Precinct within the Warrnambool City Centre.

Warrnambool’s education facilities are identified on the Strategic Framework Plan and Figure 1.

**Objective**

To develop Warrnambool as the key education service centre of southwest Victoria.

**Strategies**

1. **Strategy 1.1** Support the expansion of the Deakin University and South West Institute of TAFE services to maintain Warrnambool’s role as a major service provider in southwest Victoria.

2. **Strategy 1.2** Facilitate the improvement of the linkages of the Deakin campus with the city and maximise opportunities for university related business opportunities.

3. **Strategy 1.3** Locate a primary school in the North of the Merri River Growth Area within close proximity to the future activity centre and integrated with surrounding community uses.

**Implementation**

The strategies in relation to education facilities will be implemented through the planning scheme by:

**Application of zones and overlays**

- Applying the Public Use Zone (PUZ2) to support public education facilities.
- Applying the most appropriate zone to support private education facilities.

**Distribution of social and cultural infrastructure**

The *Warrnambool Community Services and Infrastructure Plan (2013)* sets out the future demand for community services and infrastructure across Warrnambool. It shows that a range of issues will affect future demand for community services including: a growing population; the increased use of services by older residents; the specific needs of children and young people; increased demand for early years services; the use of Warrnambool services by people living outside the municipality; and the growing demand for administrative, meeting and program spaces.

Future planning for community services and infrastructure across Warrnambool will develop a series of shared or multi-purpose community facilities or community hubs that are located in key service locations that respond to the identified need for services and allow shared service delivery. Integrated multi-purpose community facilities, that provide places for the delivery and administration of efficient and effective community services and appropriate and flexible spaces for community activities, will be critical in maintaining liveability and a sense of community as well as supporting optimal community health and wellbeing.

**Objective**

To provide access to a range of well maintained, well managed and appropriately designed and located community services and facilities.
Strategies

Strategy 1.1 Support the provision of a network of multi-purpose community facilities that accommodate a diverse and integrated range of services, programs and activities, and make a significant contribution to enhancing the health and wellbeing of the Warrnambool community.

Strategy 1.2 Support the Warrnambool City Centre as the city’s key community meeting place and hub for civic, cultural and education uses.

Implementation

The strategies in relation to the distribution of social and cultural infrastructure will be implemented through the planning scheme by:

Application of zones and overlays

• Applying the most appropriate zone to support multi-purpose community facilities.

Reference documents

*Warrnambool Community Services and Infrastructure Plan (2013)*

Development infrastructure

Water supply, sewerage and drainage

Water and sewerage services within the municipality are provided by Wannon Water. Significant infrastructure investments are planned from 2013 to 2018 to meet the expanding residential areas around the city. These works include new water towers, pipelines and pumping stations.

The city’s water treatment and sewerage treatment plants have sufficient capacity to meet the community needs for around 5 years before augmentation is required. Warrnambool’s water and sewerage treatment plants are identified on the *Strategic Framework Plan* and Figure 1.

The settlements of Bushfield and Woodford are not connected to reticulated sewerage services. The *Moyne Warrnambool Rural Housing and Settlement Strategy (2010)* recognises that soils within Bushfield and Woodford have limited capacity to carry much further growth in septic services.

Drainage impediments in Allansford will have an impact on development.

Warrnambool is at the forefront of integrated water management with the implementation of Wannon Water’s ‘roof water collection system’ within the North East Warrnambool Growth Area. This award winning initiative together with the development of other groundwater resources will meet the growth needs of Warrnambool for at least the next 50 years.

The use of water sensitive urban design and utilising open spaces to act as floodways are also strategies that can minimise pollution of stormwater runoff into the catchments.

Objective

To reduce environment degradation associated with stormwater run-off and effluent disposal.

Strategies

Strategy 1.1 Require new development to include water sensitive urban design techniques.

Strategy 1.2 Establish artificial wetlands, retention basins and stormwater pollution traps and other water sensitive urban design features as a means of controlling the quality and quantity of stormwater run-off from urban areas.

Strategy 1.3 Encourage the re-use of wastewater and stormwater run-off within greenfield growth areas.

Strategy 1.4 Defer growth within Bushfield and Woodford pending resolution of sewerage and effluent management options.

Strategy 1.5 Ensure further growth within the Allansford township considers the availability of stormwater drainage infrastructure.
Implementation
The strategies in relation to water supply, sewerage and drainage will be implemented through the planning scheme by:

Application of zones and overlays
- Applying the Public Use Zone to support Warrnambool’s water and sewerage treatment plants.

Further strategic work
- Undertake a sewerage and effluent management strategy for Bushfield and Woodford, examining options and making recommendations regarding the most effective and cost beneficial way to enable growth to occur without environmental degradation.

Telecommunications
The municipality contains a number of telecommunications towers. Traditionally telecommunications towers have been co-located with other infrastructure such as water towers.

The scheduled rollout of the National Broadband Network (NBN) is underway. Residents within the North East Growth Area have access to NBN. Two fixed wireless towers are under construction to provide residents in the northern part of the municipality with access to NBN. The cable rollout is expected to have commenced by 2016.

Warrnambool’s telecommunication facilities are identified on the Strategic Framework Plan and Figure 1.

Objective
To encourage upgrades to the communications network.

Strategies

<table>
<thead>
<tr>
<th>Strategy  1.1</th>
<th>Support existing telecommunications infrastructure and encourage co-location of future infrastructure requirements.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.2</td>
<td>Encourage the extension of mobile phone networks and the National Broadband Network to cover the whole of the municipality.</td>
</tr>
<tr>
<td>Strategy 1.3</td>
<td>Ensure that all new communications facilities are located and constructed so that cultural, landscape and natural values are protected.</td>
</tr>
</tbody>
</table>

Implementation
The strategies in relation to telecommunication facilities will be implemented through the planning scheme by:

- Applying the most appropriate zone to support telecommunication facilities.

Waste and resource recovery
Two privately owned and operated waste transfer stations operate within the West Warrnambool Industrial Precinct. The Environment Protection Authority Publication 1518 Recommended separation distances for industrial residual air emissions (March 2013) recommends a 250 metre separation distance between waste transfer stations and sensitive uses.

Warrnambool’s waste facilities are identified on the Strategic Framework Plan and Figure 1.

Objective
To protect and maintain appropriate separation distances between waste transfer stations and sensitive uses.

Strategies

| Strategy 1.1 | Avoid incompatible land uses establishing within recommended separation distances to waste transfer stations. |
Strategy 1.2   Encourage new waste transfer stations to locate within existing and planned industrial precincts.

Implementation
The strategies in relation to waste and resource recovery facilities will be implemented through the planning scheme by:

Application of zones and overlays
- Applying the Industrial 1 Zone or the Industrial 3 Zone to support waste transfer stations.
- Applying the most appropriate zone within separation distances to waste transfer stations.

Further strategic work
- Undertake a review of land uses within recommended separation distances to waste transfer stations to provide guidance on the how land uses can be managed.
Figure 1 - Infrastructure
LOCAL AREAS

This clause focuses on local area implementation of the objectives and strategies set out earlier in the Warrnambool Planning Scheme. Each section relates to a particular precinct within the municipality, and should be read in conjunction with the rest of the Municipal Strategic Statement and not in isolation.

The sections are organised under the following Local Area headings:

- City Centre
- Eastern Activity Precinct
- Dennington Activity Centre
- North Merri Growth Area
- Coastal Hopkins Growth Area
- North Dennington Growth Area.

City Centre

The Warrnambool City Centre is the most significant retail commercial district and services precinct serving southwest Victoria. It provides a regional role for services including: retailing; professional and business services; government and administration; justice and legal services; higher education; health and welfare services; and hospitality, recreation and entertainment.

Vision

To support the Warrnambool City Centre as the principal activity centre for Warrnambool and southwest Victoria.

Warrnambool City Centre supports an economically, sustainable and socially rich environment through its city spaces and landscape, land use activities, access and movement network and built form.

Implementation strategies

General

- Ensure that any proposed use or development within Warrnambool City Centre is generally in accordance with the Warrnambool City Centre Revitalisation - The Structure Plan (2012), including the Warrnambool City Centre Framework Plan as shown in Figure 1.

Land use and activities

The indicative use of land is identified in the Warrnambool City Centre Framework Plan (Figure 1) and described in the table to clause 21.02 headed ‘City of Warrnambool Activity Centre Hierarchy: Role and Function of Centres.’

- Support housing diversity for residents of all life stages to reside in the City Centre.
- Improve the amenity of established residential precincts and create opportunities for more housing diversity.
- Provide adequate services and facilities to support an effective working environment.
- Require new development to interact with the public realm and provide ground level retail/commercial uses.
- Encourage higher density residential development in the City Centre, particularly at upper storeys.
Economic development
- Promote and support the role of the City Centre as the pre-eminent shopping, services and trading centre in southwest Victoria.
- Facilitate the establishment of new regional-level businesses in the City Centre.
- Protect and maintain the primary retail role of the City Centre and strengthen the viability of the core retail area, focused on Liebig Street.
- Encourage the establishment of additional higher-order or regional retail anchor stores in the City Centre.

Urban design and built form
- Require buildings and infrastructure to have an emphasis on sustainability.
- Reinforce the City Centre as a civic and cultural place.
- Require the scale of new development to avoid detrimental amenity impacts on surrounding areas of the City Centre.
- Ensure new development is sympathetic to existing heritage character.

Access and circulation
- Support pedestrian priority.
- Facilitate walking, cycling, shopping, recreation, meeting and social network opportunities.
- Provide planned and catered for movement opportunities.
- Facilitate direct connections between core retail attractors and Liebig Street, to maximise pedestrian flows along the street.
- Maintain traffic flows and provide convenient vehicular access.

Car parking
- Provide adequate levels of car parking to meet current and future demand.

City spaces and landscape
- Create a City Centre that is safe and welcoming to the community through key initiatives and festivals.
- Reinforce and enhance the natural environment, gateway entries, vistas and landscape features.
- Improve the landscape setting and presentation of properties in the public and private realm.
- Improve the quality and function of public spaces and create recreation and leisure opportunities.

Future strategic work
- Preparation of design guidelines for new development within the City Centre.
- Preparation of a car parking strategy for the City Centre.
- Review land use zonings across the City Centre to ensure the most appropriate mix of land uses can be achieved.

Reference documents

Warinambool City Centre Revitalisation – The Structure Plan (2012)
Figure 1 - Warrnambool City Centre Framework Plan
Eastern Activity Precinct

The Eastern Activity Precinct is located at the eastern extent of Warrnambool to either side of Raglan Parade (Princes Highway) between Horne/Mahoneys Road to the east, the Gateway Church to the west, the Hopkins River to the south and Dales Road to the north.

The Eastern Activity Precinct is identified in Clause 21.02 as a Major Activity Centre within Warrnambool, with a retail core area that encompasses the Gateway Plaza and Environs. Gateway Plaza and Environs has a secondary retail role to Warrnambool City Centre. It serves a subregional retail role and provides for the weekly shopping needs of residents living in east Warrnambool and surrounding districts. Clause 21.02 also identifies the Eastern Activity Precinct as being the principal bulky goods precinct within the Municipality, with a regionally-significant cluster of restricted retail stores.

Vision

To establish the Eastern Activity Precinct as a vital and recognisable mixed use urban extension to the city, comprising integrated retail, business, residential, tourism and recreational facilities that are highly accessible and legible to all users, and configured sensitively around the particular natural and landscape qualities that define the city’s predominantly rural fringe.

Implementation strategies

General

- Ensure that any proposed use or development within the Eastern Activity Precinct is generally in accordance with the Eastern Activity Precinct Structure Plan, including the Eastern Activity Precinct Framework Plan as shown in Figure 2.

Land use and activities

The indicative use of land is identified in the Warrnambool Eastern Activity Centre Precinct Structure Plan Concept and described in the table to Clause 21.02 headed ‘City of Warrnambool Activity Centre Hierarchy: Role and Function of Centres.’

- Encourage the development of community services and activities such as child care centres, maternal and child health centres and local medical facilities at Gateway Plaza and Environs to diversify its function as a community hub.
- Encourage medium density residential development within 400 metres of Gateway Plaza and Environs.
- Provide more affordable accommodation as well as a range of higher density housing such as townhouses, aged persons accommodation and commercial accommodation.

Economic development

- Consolidate Gateway Plaza and Environs as the secondary retail centre in Warrnambool serving a sub-regional role and providing a local centre to residents living in east Warrnambool and surrounding districts.
- Ensure that development of Gateway Plaza and Environs does not detract from the role of the City Centre as the principal activity centre in the region and the primary retail centre.
- Encourage the consolidation of bulky goods and peripheral retailing activity in the Eastern Activity Precinct.
- Encourage bulky goods retailing to locate in the Warrnambool Homemaker Centre, as well as a limited number of large format retail shops in the form of superstores with a minimum floor area of 1,000 square metres (not discount department store or supermarket) locating in the Warrnambool Homemaker Centre to enhance the regional role of the Eastern Activity Precinct.
Encourage the establishment of complementary activities such as trade and building supplies, rural and farm machinery supplies, highway sales and showrooms in the Eastern Activity Precinct.

**Urban design and built form**

- Introduce a defined ‘gateway’ to demarcate an entrance point and make a statement about the significance of the city.
- Promote visual integration of sub-precincts and individual sites by ensuring the built form of new developments responds to its surrounds and extensive active frontages address the public realm.
- Ensure consistency in landscaping and urban design treatments to create a unified sense of place.
- Ensure high-quality interfaces are delivered between the retail core and adjacent sites by encouraging further specialty retail development to activate edges, avoiding blank walls and dead spaces.
- Establish a clear and legible urban pattern that is sensitive to the precinct’s landform and subdivision pattern.
- Generate a clear urban form and activity transition across the precinct that represents a shift in character from the open rural areas to the east towards a more intense urban focus around the retail core.
- Define an urban pattern that communicates a transition between the western retail and the eastern end.
- Create development form that provides a sense of frontage and street address to each frontage.
- Establish development that is diverse and interesting in appearance with clear vertical and horizontal breaks.
- Generate an urban form that portrays a sensible arrangement of backs to backs and fronts to streets.
- Define development form with diverse roof form and silhouette that conceals infrastructure and services.
- Achieve a development scale that sits within as opposed to above the natural landscape setting.
- Ensure the highest possible degree of design quality in development form and finish.
- Encourage creative and innovative design that provides high quality residential living environments.
- Require that the presentation of new developments along the highway frontages makes a positive contribution to the appearance of the area.
- Underpin the principles of ecologically sustainable design in the alignment, orientation and design of buildings, streets and places.
- Manage the visual setting through the careful control of signage, infrastructure and advertising.

**Access and circulation**

- Encourage integrated vehicle circulation systems, providing direct linkages between existing developments and new sites.
- Ensure new pedestrian and bicycle networks deliver direct and safe connections between developments from ‘door to door’ and from public road reserves to entry points.
- Ensure the layout and design of new developments maximises pedestrian access to and from the centre into surrounding neighbourhoods, by ensuring the residential road network ‘feeds into’ the road network servicing commercial developments.
- Define permeable access through the precinct in a north-south and east-west manner.
- Facilitate integrated and safe pedestrian and cycle connections throughout the Precinct.
- Achieve meaningful connections to the east of the existing Gateway Plaza centre.
- Achieve appropriately spaced signalised junctions along Princes Highway.
- Establish an attractive and inviting Highway arrival experience along the Princes Highway.
- Manage surface car parking in ‘courts’ to reduce the visual impact from the Highway.
- Establish suitable reserves to peripheral roads such as Horne Road to accommodate for future traffic needs.
- Incorporate integrated public transport to ensure that equitable access for all is provided.
- Facilitate pedestrian linkages across the Highway to ensure that the route reflects an activity corridor.
- Form a clear hierarchy of roads to and throughout the Precinct that will ‘open up’ the area and make it easier for pedestrians, cyclists, cars and public transport services to move freely.

Open space and landscape

- Continue the important legacy of landscape associated with the Princes Highway corridor.
- Protect and enhance local view corridors along the Highway and to north and southern high points.
- Recognise the role and place of both topography and landscape in the Precinct as key markers.
- Aim to retain and/or enhance existing landscape features within the Precinct, including cultural plantings.
- Acknowledge the importance of drainage management and servicing of the flat northeast land.
- Utilise landscape as the common thread that can help to integrate different land uses and forms.
- Adopt the principles of ecologically sustainable design, including Water Sensitive Urban Design in the planning of all places.
- Utilise landform and mounding to manage the visual presence of car parking to the Highway frontage.
- Encourage strong canopy landscape effects to the northern hillside residential estate for visual integration.
- Consider a role for a major water feature/detention area to the north-eastern flat as a development focus.
- Establish proud and useable public open spaces that are highly visible, accessible and north facing.

Future strategic work

- Review the *Eastern Activity Precinct Structure Plan (2004)*

Reference documents

- *Eastern Activity Precinct Structure Plan (2004)*
Figure 2 - Eastern Activity Centre Framework Plan
Dennington Activity Centre

The Warrnambool Retail Strategy (2007) identifies a hierarchy of activity centres for the City. Relevantly the strategy seeks to facilitate the development of several strategically located neighbourhood and local convenience centres to support developing areas and small communities, including a neighbourhood activity centre at Dennington.

The Dennington Neighbourhood Activity Centre Structure Plan (2009) determines the appropriate location, form and configuration of an Activity Centre in light of the location of existing commercial and community facilities and available developable land that is easily accessible to the growing residential sector with good highway exposure. The Structure Plan also determines a suitable built form that ensures a centre that is functional, attractive and effective as a community focal point with the capacity to grow.

Given the expansion of the greater City, Dennington is now the gateway to Warrnambool and serves an important role as the first front of urban development when approaching the City from the west.

Vision

Dennington Neighbourhood Activity Centre is a small village precinct and the primary focus for the local convenience and weekly shopping needs of Dennington / West Warrnambool, comprising a range of retail, commercial, leisure and community facilities and enticing outdoor spaces. Improved links between the Town Centre and residential growth areas, in association with new mixed use development along Lindsay Street will ensure harmonious integration between the new retail area and the existing traditional village heart.

Implementation strategies

General

- Ensure that any proposed use or development within the Dennington Neighbourhood Activity Centre is generally in accordance with the Dennington Neighbourhood Activity Centre Structure Plan (2009), including the Dennington Activity Centre Framework Plan as shown in Figure 3.

Land use and activities

The indicative use of land is identified in the Dennington Activity Centre Framework Plan (Figure 3) and described in the table to Clause 21.02 headed ‘City of Warrnambool Activity Centre Hierarchy: Role and Function of Centres.’

- Encourage supermarket and specialty retailing to approximately 3,000 square metres combined to serve as the commercial anchor in the centre within the Commercial 1 Zone.

- Provide a single supermarket of 2,000 square metres set as close as possible to the Highway frontage with glazed presentation to the south and east.

- Support additional freestanding retail uses of up to 1,000 square metres to be set to the Highway frontage and built to boundary with activated building edges.

- Encourage Lindsay Street to evolve as a ‘main street’ with a mix of land uses facing the street in a traditional form with footpaths, glazed frontages and housing above. This effect should wrap around to address Drummond Street.

- Maintain the employment role of the triangular parcel of industrial land to the eastern corner, which may convert to a non-retail based use over time.

- Encourage the development of a community, housing and tourism precinct to deliver services and facilities needed by the growing population in a convenient location, which is connected to retail and mixed use areas fronting the Highway.
Encourage sites along the highway surrounding the community hub and retail precinct to develop for tourism, capitalising on the visibility to passing traffic and the City’s western gateway location. This should extend to crossing the Merri River and may be associated with existing or consolidated housing.

Require physical separation between any possible future community and tourism uses and residential land so as to avoid activity conflicts.

Support a diversity of housing choice through the consolidation of housing on standard lots within proximity to the town centre.

Encourage a diverse population to reside in Dennington by providing townhouse and unit development within easy walking distance to services and shopping of the Town Centre.

Maintain recreational and parkland services and facilities along the Merri River bank.

**Urban design and built form**

**Retail Development**

- Ensure freestanding supermarket buildings within the Commercial 1 Zone are no more than 1 storey in height or 6 metres in elevation. Visually interesting roof form and integrated signage is essential.

- Accommodate 2 storey form of up to 8.5 metres in height to the Highway frontage and along Lindsay Street with retail at ground level and other uses above.

- Require built form along Raglan Parade to address the street with glazed frontages and entries to the street.

- Require built form to be low scale and unobtrusive to maintain view lines from surrounding elevated topography.

- Avoid large expanses of flat roofs and plant fittings on rooftops should be appropriately screened when viewed from elevated positions.

- Ensure new development close to corners is positioned to the lot boundary and clearly demarcates and addresses the junctions to each edge.

- Ensure buildings are well designed to front external and internal streets, provide active frontages and well concealed service areas.

- Integrate vertical and horizontal division of form to any future retail development so as to limit the extent of visual bulk and mass.

- Require the material palette of new built form to display a variety of finishes that responds to the natural environment in texture and colour and avoid the use of large expanses of brightly coloured rendered walls.

- Provide a plaza space with potential for street furniture, public notice boards, lighting and landscaping.

- Require servicing and loading facilities to be located to the rear with separate heavy vehicle access to minimise conflicts with smaller vehicles and pedestrians.

- Require signage to be respectful of the neighbourhood setting with low scale integrated design preferred. Illuminated highway signage should be avoided.

**Precinct-wide development**

- Support and encourage sustainable practice in building and landscape design.

- Maintain and reinforce the existing community structure at Dennington.
- Ensure the retention of traditional building stock in the precinct and celebrate the heritage of Dennington with interpretive signage at appropriate locations advising of the story of the town and its population over time.

- Develop a consistent built form edge to any new development that may occur along Drummond Street with zero setback and north facing awnings.

- Establish a high quality built environment respectful of the gateway location along the Highway and prevailing low scale surrounds.

- Ensure buildings are well designed in sympathy with the village and address the streetscape with activated or attractive edges in exposed locations.

**Access and circulation**

- Upgrade the intersection of Lindsay Street and the Highway with signals so as to allow for the safe passage for pedestrians to the retail centre.

- Establish an internal east-west link between Lindsay and Russell Streets along the existing drainage easement to serve as a new urban frontage.

- Establish a key north facing pedestrian plaza that links stand alone retail development with the supermarket. This space should be thoughtfully landscaped and appropriately sited to provide a high quality public realm.

- Require all loading and service access for retail uses to be located to the rear of development and concealed through design and landscape treatments.

- Limit the extent of open surface car parking in a single location through the development of car parking courts that are landscaped.

- Examine the potential to open Russell Street at its crossing with the rail so as to allow better north-south links for pedestrians and vehicles. The capacity of this link needs to be assessed by the relevant authorities.

- Upgrade Russell Street (south of the railway line) to allow access to the supermarket while respecting the heavy vehicle movements for existing business to the east.

- Investigate upgrading the rail crossing at Drummond Street to facilitate the fluid movement of vehicles and pedestrians to and from the Activity Centre.

- Facilitate pedestrian movement to the retail core by providing footpath links from both north and south Dennington.

- Investigate reopening Hood Street at the Highway so as to permit permeable north south access for all.

- Establish Lindsay Street as a new main street by ensuring a high quality kerbside environment through consistent street tree plantings, pedestrian paths and lighting.

**Open space and landscape**

- Develop a strong landscape theme through street tree planting of appropriate species and responsive to site conditions that provides clear trunks to maintain sight lines to either side of Raglan Parade located within the road reserve; in tandem with street lighting, signage and landform treatments.

- Maintain recreational and parkland services and facilities along the Merri River bank.

- Establish a linear open space for cycling and pedestrian access along the former rail reserve linking to the historic rail bridge and Merri River open space network.

- Establish a management plan to ensure the protection and future health of the existing Cypress trees to The Esplanade and enhanced river bank setting as primary high quality open space within the Town Centre.
Future strategic work

- Review the need to apply a Development Plan Overlay across the wider precinct area.

Reference documents

Dennington Neighbourhood Activity Centre Structure Plan (2009)
Figure 3 - Dennington Activity Centre Framework Plan
North of the Merri Growth Area

The North of the Merri Growth Area is identified in the *City Wide Housing Strategy 2013*. The area comprises approximately 250 hectares and is bound by Wollaston Road and a ridgeline to the north, Caramut Road to the west, and the Merri River to the south and east.

Vision

To create a well-connected and well-serviced community that has a positive sense of place.

Implementation strategies

General

- Ensure that any proposed use or development within the North of the Merri Growth Area is generally in accordance with the North of the Merri River Structure Plan, including the North of the Merri Framework Plan as shown in Figure 4.

Land use and activities

- Create five distinct neighbourhoods defined by a neighbourhood ‘core’ (passive open space, the local activity centre).
- Link each neighbourhood by the key character roads (Wollaston Road and the east-west boulevard connector) and the ‘green loop’ comprising the floodplain and east-west boulevard connector.
- Promote residential land use and development with net environmental benefit.
- Establish a clear boundary to further urban expansion that protects the viability of nearby agricultural land.
- Ensure that future development does not encroach upon flora, fauna and cultural heritage assets.
- Provide a diverse range of lot sizes to achieve an average density of 12 lots per net developable hectare.
- Locate a small-scale activity centre centrally within the growth area, on the west side of Wollaston Road that will form an accessible and vibrant ‘heart’ to the North of the Merri community.
- Provide local convenience centre retail and services, possibly including a small convenience/general store, small service businesses, a café and community services such as childcare and a medical centre.
- Provide opportunities for higher density housing and mixed uses, such as home offices surrounding the activity centre.
- Incorporate public space as a central part of the activity centre by co-locating the activity centre with a passive open space reserve.
- Integrate the activity centre with surrounding community uses such as the primary school.
- Provide opportunities for shared use of community facilities, for example, shared use of the primary school site as a Council operated community centre.
- Ensure the activity centre is accessible via public transport by locating it on a bus route.

Access and circulation

- Utilise the existing Wollaston Road reserve as the key spine road through the Structure Plan area to connect externally to the east and the west, and to define and connect internal neighbourhoods.
- Provide a north-south connection over the Merri River at Bromfield Street to connect the growth area with urban areas to the south.
- Align a secondary east-west connector road taking into account topographic features (along a ridge line to the east of Wollaston Road, and along the valley to the west of Wollaston Road).
- Incorporate a central median into the cross-section of Wollaston Road through the central part of the plan area to create a strong landscape character/boulevard effect, and to manage traffic movements at intersections with local roads.
- Incorporate a central median within the east-west connector to create a grand-tree lined boulevard in a visually prominent location, and to connect the Merri River in a ‘green loop’ to be utilised by pedestrians and cyclists.
- Provide a connector road network that will enable the provision of a modified grid-based local road network that is highly permeable and connected, and comprises a variety of local road cross-sections to add interest to the neighbourhoods.
- Utilise Wollaston Road as a bus route that is accessible to the majority of residents within a five-minute walk (400 metres).
- Provide a connected on and off road pedestrian/cycle network that utilises the Merri River, local open space links and boulevard connector roads.
- Provide an active edge to all open space areas, including the floodplain, via edge roads.
- Provide a ‘one-sided’ cross-section for Wollaston Road where it interfaces with rural land to the north.
- Provide ‘direct’ property access to all roads, including Wollaston Road.
- Provide for a pedestrian/ cycle only link between the adjacent existing Ponting Estate and the growth area in the location of Ponting Drive. This link is not to facilitate through vehicle movements.

**Open space and landscape**

- Maximise use of the floodplain for active open space and passive recreation where possible to minimise the need to set aside developable land for open space.
- Locate active open space land within the floodplain. Sufficient land has been identified to accommodate two ovals, car parking, tennis courts and a shared pavilion within the floodplain, adjacent to the proposed primary school.
- Create a ‘green loop’ system of open space and green boulevards, comprising the floodplain, east-west boulevard connector and local open space which provides a high amenity landscape setting for diverse housing outcomes, and provides a connected off-road pedestrian/ cycle movement network.
- Locate passive open space to coincide with landscape / site features where appropriate to protect these features and to provide each space with its own distinct character.
- Visually and physically link open space to neighbourhoods through the use of edge road treatments, including edge roads along the length of the floodplain.
- Incorporate small urban ‘green’ spaces within the detailed design of subdivisions, including small pocket parks, widened nature strips, central medians etc. to provide a point of difference within neighbourhoods that can be utilised as a context for higher density housing.
- Encourage development that is clustered together to provide land for large areas of public open space (utilising the floodplain), environmental linkages and the protection of ridgelines.

**Reference documents**

*North of the Merri River Structure Plan (2011)*
Figure 4 - North of the Merri Growth Area Framework Plan
Coastal Hopkins Growth Area

The Coastal Hopkins Growth area is located immediately east and south of the Hopkins River and contains approximately 115 hectares of land with the potential to accommodate approximately 650 lots.

Vision

To provide a superior quality residential environment that responds to local characteristics and context, and provides a range of living opportunities through a diversity of residential densities situated in a variety of landscape settings.

Implementation strategies

General

- Ensure that any proposed use or development within the Coastal Hopkins Growth area is generally in accordance with the Coastal / Hopkins River Environment Structure Plan, including the Coastal Hopkins Growth Area Framework Plan as shown in Figure 5.

Land use and activities

- Promote land use and development south east of Hopkins Point Road which results in net environmental benefit to the coast.
- Encourage environmental housing with a substantial river edge reserve, north of Hopkins Point Road.
- Establish a clear eastern boundary at the ridgeline on the south side of Hopkins Point Road and in line with Deakin University at the northern side of Hopkins Point Road as shown by the urban growth boundary.

Urban design and built form

- Encourage development that is clustered together to provide for large areas of public open space, environmental linkages and the protection of ridgelines and significant flora and fauna species that demonstrate key environmental benefits.
- Encourage development densities that are not necessarily uniform, but respond to a visual and environmental assessment of potential development impacts.
- Require building and site design to blend into the landscape.
- Ensure that future development does not encroach upon significant flora, fauna and cultural heritage assets.
- Require subdivision with buffer areas that afford effective protection of the environmental values of the coast and river environments from impacts such as stormwater, septic discharge, domestic animals, and climate change.
- Protect the ridgeline, coastal and river systems when considering any form of development.
- Require the identification of building envelopes which respond to the visual and environmental context of the site, and allow for the reasonable sharing of views to the ocean and/or the Hopkins River from adjoining properties.

Access and circulation

- Provide a network of pedestrian and bicycle paths that provide links between neighbourhoods, open space areas and to Hopkins Point Road.
- Road reserves are to contain significant space to provide a vegetated backdrop/foreground to future buildings and structures.
- Provide a movement network that responds to the topography of the site, and provides a permeable layout for convenient vehicle and pedestrian access.
- Ensure access points from Hopkins Point Road are carefully chosen to optimise sight distance in both directions.

Open space and landscape
- Preserve the environmental values and landscape qualities of the area.
- Require the preparation of detailed siting and design schemes such as stormwater reuse, drought resistant gardens, habitat creation and enhancement which includes revegetation and solar orientation of buildings that demonstrate net environmental benefits resulting from any form of proposed residential development.
- Retain the coastal dune and river frontages through designation as public reserves for biodiversity purposes.
- Designate the ridgeline north of Hopkins Point Road as public open space with appropriate setbacks to housing to maintain a vegetated ridgeline.
- Protect the ridgeline, coastal and river systems when considering any form of development.
- Actively encourage revegetation so as to reduce the visual impact of the height and built form of buildings and structures.

Reference documents

Coastal/Hopkins River Environment Structure Plan (2008)
Figure 5 - Coastal Hopkins Growth Area Framework Plan

COASTAL HOPKINS RIVER FRAMEWORK PLAN

Drawing Key:

- **Riverside Bush Lots** (2,500 - 7,000 sqm) Land area is partly constrained due to steep slopes.
- **Low Density Bush Lots** (1,500 - 2,500 sqm) Striving for some or no vegetation to produce high quality design.
- **Spacious Residential Lots** (1,500 - 2,000 sqm) Includes areas of lower density with emphasis on vegetation and generous space between buildings.
- **Conventional Density Lots** (600 - 800 sqm) Properties from�� public open space and located on better more developable land.
- **Open Space Cluster Lots** (100 - 1,000 sqm) Lots surrounded by nature and open spaces with heavy emphasis on low lying vegetation. Clusters will be arranged to protect views from existing dwellings along Hopkins Road.
- **Environmental Cluster Lots** (2,000 sqm) Clusters of low impact dwellings surrounded by existing heavily vegetated open spaces.
- **Residential Transition Area** Existing rural living properties along Hopkins Road and to be implemented by implementing a code to determine appropriate views sharing options.
- **Public Open Space**
- **Logans Beach Area**
- **Pedestrian Path**
- **Potential location for jetty**
North Dennington Growth Area

The North Dennington Growth Area is an area of 160 hectares bound by the Merri River to the north and west, the existing urban area to the south and Harrington Road to the east. The growth area is situated approximately 4 kilometres west of central Warrnambool, and is anticipated to accommodate approximately 1,250 new residential lots.

Vision

A residential community providing for diverse housing densities and lifestyle opportunities, with high quality and sustainable urban design outcomes that reflect the environmental assets and landscape attributes of the location abutting the Merri River.

Implementation strategies

General

- Ensure that any proposed use or development within the North Dennington Growth Area is generally in accordance with the North Dennington Structure Plan, including the North Dennington Growth Area Framework Plan as shown in Figure 6.

Land use and activities

- Ensure that land use and development enhance the river environment at North Dennington.
- Identify preferred locations for higher density housing and smaller lots in locations that are close to services and amenities such as open space, St John’s Primary School and future convenience retail and the community hub.
- Provide for larger lots in areas with significant slope and / or prominent ridgelines.
- Co-locate a small scale community hub with the St Johns Primary School or Dennington Recreation Reserve.
- Enhance opportunities for shared use of facilities at St Johns Primary School.

Urban design and built form

- Encourage development near ridgelines that limit visual impact.
- Ensure that development addresses local streetscapes and open spaces.
- Ensure the design of new residential development enhances views to and from the Merri River and responds to the diverse topography of the area.
- Encourage integrated water resource use including rainwater tanks, recycled water and re-use of grey water and stormwater where practicable.

Access and circulation

- Utilise and reinforce Coghlan's Road as the main thoroughfare servicing the growth area and to provide the main connection to the east providing direct access to Warrnambool via Caramut Road.
- Provide a Loop Road along the edge of the open space network adjoining the Merri River as an active interface.
- Provide an active edge to all other open space areas, via local streets fronting these areas.
- Extend the unmade road reserves of Russell Street, Station Street and Harrington Road to the Merri River Loop Road to enable future local access and connections to the open space network.
- Provide a grid based local road network that builds upon the existing alignment of road reservations within the growth area and responds to topography in locations where steep land is a constraint.
Create better links to the Dennington Town Centre through intersection upgrades and the establishment of pedestrian connections across the extension of Station and Russell Streets.

Identify Coghlans Road as the primary bus route and expand public transport out to Station Street, Shannon Road and Harrington Road as the growth area develops.

**Open space and landscape**

- Set aside flood prone land along the Merri River for flooding and drainage purposes. This land can also be used for passive open space needs, thereby freeing up unencumbered land for development.

- Recognise the proximity of Dennington Reserve to the growth area and its ability to generally meet the active open space needs of future residents.

- Provide for a shared path within the St Johns Primary School that will provide a link to Dennington Reserve.

- Provide an attractive, safe and active interface with all open space areas through use of roads frontages and passive surveillance.

- Encourage smaller pocket parks and widened road reserves on an as-required basis to protect and retain important cultural heritage or natural features as essential elements of the future character of the area.

- Improve biodiversity through the integration of landscaping/revegetation and retention of stormwater treatment for habitat.

**Reference documents**

*North Dennington Structure Plan (2014)*
Figure 6 - North Dennington Growth Area Framework Plan
LOCAL PLANNING POLICIES

Local Planning Policies are detailed directions that will guide day to day decision making about geographic or thematic issues, so that cumulatively those decisions will support the achievement of the objectives, or at least will not undermine their achievement.

The Warrnambool Planning Policies are arranged under four themes:

22.01 - Housing;
22.02 - Environment;
22.03 - Economic Development; and
22.04 - Infrastructure.
RURAL DWELLING EXCISIONS

This policy applies to an application for the subdivision of land to create a lot for an existing dwelling within the Farming Zone.

Policy basis

This policy builds on the Municipal Strategic Statement objective in clause 21.05-1 to maintain an economically viable agricultural sector.

Agriculture is an important element of the regional economy with 16 percent of the workforce employed within the agriculture, fishing and forestry sector. It is important that rural areas are protected to ensure agricultural uses remain viable and to ensure the City’s unique rural character is protected from urban development.

Objectives

To ensure that the excisions of lots and dwellings in the Farming Zone is consistent with the purposes of the zone.

To limit the subdivision, use or development of land that will be incompatible with the utilization of the land for sustainable resource use.

To ensure that dwellings which are excised do not prejudice rural production activities and are appropriately sited.

Policy

It is policy to:

- Ensure that the subdivision of land to create a lot for an existing dwelling within the Farming Zone (Clause 35.07-3) is a maximum size of 2 hectares in area, except as otherwise required by a provision of the planning scheme.

- Ensure dwellings excised under the provisions of Clause 35.07-3 are in a habitable condition and complies with the Building Code of Australia.

- Ensure that the smaller lot is created in such a way that the existing dwelling will not restrict surrounding agricultural activities.

- Discourage subdivision which is not for the purposes of excising an existing dwelling.

Application requirements

An application for the subdivision of land to create a lot for an existing dwelling within the Farming Zone must be accompanied by the following information, as appropriate:

A site analysis of the site and surrounding area including:

- The location of the existing dwelling and outbuildings.

- Topography of the land and existing vegetation.

- Existing land uses on the site and of adjoining properties.

- Road access and available infrastructure.

- Proposed fencing.

A report explaining the proposal and how it addresses this policy.
INDUSTRIAL DEVELOPMENT

This policy applies to an application for industrial development in the Industrial 1 Zone, Industrial 3 Zone, and Farming Zone.

Policy basis

This policy builds on the Municipal Strategic Statement objective in clause 21.06-1 to ensure that industrial development meets standards for amenity and urban design that promotes the attractiveness of the municipality.

Objective

To encourage well planned industrial development throughout the municipality setting out clear requirements for industrial development and dealing efficiently with proposals that meet these requirements.

Policy

It is policy to:

Buildings

- Ensure that buildings do not occupy more than 50 percent of the site. Applications for buildings that occupy more than 50 percent of the site should show how matters such as car parking can be satisfactorily addressed.
- Ensure that buildings are constructed in materials that are visually attractive such as brick, masonry or Colorbond metal.

Setbacks

- Ensure that setbacks are responsive to existing site conditions, existing development and the need to ensure safe traffic circulation.
- Ensure that front setbacks are reduced and consistent, with minimal car parking located in the front setback. Car parking should be located along the side and rear.

Car parking

- Ensure that on site car parking is provided according to the rate prescribed in the planning scheme unless a proposed use warrants a reduction.
- Ensure that vehicle loading and unloading is designed to occur totally within the site.
- Ensure that common parking areas are considered as part of any integrated development.

Advertising

- Ensure that advertising signs identify the name of the business occupying the premises and the service offered.
- Discourage above roof signs.
- Ensure that integrated projects involving a number of lots and buildings include a directory sign indicating business names and services offered.

Landscaping

- Ensure that landscaping on each site:
  - Retains existing vegetation where practical.
  - Uses locally indigenous vegetation.
  - Screens areas where visibility for safety is not essential.
- Defines areas of pedestrian and vehicular movement.
- Provides landscaping that minimises maintenance requirements.
- Allows appropriate maintenance and landscaping of areas where future building may occur.
- Uses landscaping instead of fencing in areas such as the frontage of the site.
- Avoids fencing at the site frontage unless the applicant demonstrates fencing is required for security reasons.

**Industrial development in rural areas**

- Ensure that industrial development in rural areas:
  - Minimises the impact on agricultural land and land management practices.
  - Provides access to sealed roads.
  - Can appropriately manage effluent and storm water.
  - Maintains the visual qualities of the rural landscape.

**Noise abatement measures**

- Ensure that before deciding on an application, the responsible authority considers any significant effects which the use or development may have on the environment, or which the responsible authority considers the environment may have on the use or development.

**Application requirements**

An application for industrial development in the Industrial 1 Zone, Industrial 3 Zone, and Farming Zone must be accompanied by the following information, as appropriate:

A site analysis of the site and surrounding area including:

- The location of the proposed building/s and car parking (including the number of car parking spaces to be provided).
- An indication of uses within the building/s such as office areas, production areas, storage areas (including storage of hazardous chemicals and flammable liquids) etc.
- Elevations of proposed buildings and structures.
- Topography of the land and existing vegetation.
- Soil capability (rural areas).
- Existing land uses and buildings and works on the site and on adjoining properties.
- Road access and internal vehicle circulation.
- Proposed landscaping and fencing.
- Distance to residential uses, if applicable, and measures demonstrating how residential amenity will not be adversely affected by the development.
- Where the development is adjacent to a residential zone or use, appropriate visual and acoustic screening on the common boundary between the premises.

A report explaining the proposal and how it addresses this policy.
HERITAGE PRECINCTS

This policy applies to an application within the following non-residential heritage precincts:

- HO304 St John’s Church Precinct,
- HO312 Fairy Street Precinct,
- HO324 Commercial Precinct, and
- HO325 Railway Precinct.

Policy basis

This policy builds on the Municipal Strategic Statement objective in clause 21.06-4 to conserve, maintain and enhance the character of heritage precincts, particularly individual listings and contributory elements in the Heritage Overlay.

Warrnambool has several notable heritage precincts including civic and public buildings as well as significant stands of Norfolk Island pines. Council has prepared heritage guidelines to guide the assessment of development in residential precincts. As the commercial and community / civic areas differ in physical form and function they require different assessment guidelines from those places which are predominantly residential in nature.

Objectives

To conserve and enhance buildings, areas and other places which are of scientific, aesthetic, architectural, historic or cultural value.

To encourage reinstatement of verandahs where they previously existed or are sympathetic to the form, scale and appearance of a building.

To minimise and manage advertising signage so that it does not detract from the character of the area.

Implementation

It is policy to:

St John’s Church Precinct (HO304)

- Building setbacks should be the same as the setbacks of the adjacent buildings, especially if the adjacent building is a listed building.
- Buildings without render or paint should not be rendered or painted.
- Stone retaining walls and fences should not be rendered or painted.
- Assessment of applications which will remove a site with social significance should refer to the social significance section of the Warrnambool Heritage Precinct Guidelines and address:
  - Which community values the place?
  - What is its relevant importance of the place to a group or community?
  - Is it associated with a particular person or group important in the community’s history?
  - Is the place valued by a community for reasons of religious, spiritual, cultural, educational or social associations?

Fairy Street Precinct (HO312)

- Building setbacks should be the same as the setbacks of the adjacent buildings, especially if the adjacent building is a listed building.
- Buildings that are rendered should be maintained in a render. Render composition should be matched or if reinstated should be of a mixture designated by the heritage advisor to be suitable to the material to be rendered.
- Windows facing Fairy Street should generally be of timber construction.
- Small windows of vertical proportion should be used on first storey windows. Ground level windows may be larger.
- Advertising signage should be non-illuminated and not protrude above the building or verandah.

**Commercial Precinct (HO324)**

- Building setbacks should be the same as the setbacks of the adjacent buildings, especially if the adjacent building is a listed building.
- Buildings that are rendered should be maintained in a render. Render composition should be matched or if reinstated should be of a mixture designated by the heritage advisor to be suitable to the material to be rendered.
- New buildings should be rendered in an appropriate material. Brick buildings without render or paint should not be rendered or painted.
- Advertising signage should be non-illuminated and not protrude above the building or verandah.

**Railway Precinct (HO325)**

- Buildings without render or paint should not be rendered or painted.
- Stone retaining walls and fences should not be rendered or painted.
- Discourage advertising signage not related to railway operations.

**Application requirements**

An application for development within the Heritage Overlay (HO304, HO312, HO324 and HO325) must be accompanied by the following information, as appropriate:

A site analysis of the site and surrounding area including:

- A site plan showing the proposed buildings and works with the overall dimensions, setbacks and existing setbacks of buildings on the site.
- Detailed elevations of the proposed building and/or works.
- The proposed colour and type of all external materials, including doors, windows, etc.
- A photo montage or sketch illustrating the visual relationship of the proposal with the overall dimensions and setbacks, as well as existing setbacks on adjacent sites.
- Proposed fencing.
- A scaled and detailed landscape plan.

A report explaining the proposal and how it addresses this policy.
OPERATION OF THE LOCAL PLANNING POLICY FRAMEWORK (TRANSITIONAL)
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

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

Purpose

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

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

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Domestic animal boarding)</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care</td>
<td></td>
</tr>
<tr>
<td>accommodation, Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Section 2 – Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store</td>
<td>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.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### Use for one or two dwellings or a dependent person’s unit

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

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

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

### Subdivision

**Permit requirement**

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

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

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

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

### Buildings and works

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

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

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

### Application requirements

#### Subdivision

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

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

### Decision guidelines

#### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


#### Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage:
- The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).
- The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.

- The relevant standards of Clauses 56.07-1 to 56.07-4.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE

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

<table>
<thead>
<tr>
<th>Land</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares)</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Dimensions above which a permit is required to construct an outbuilding**

None specified
MIXED USE ZONE

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

Purpose

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

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Objectives

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

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
Use

Materials recycling
Transfer station
Stone extraction

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>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.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
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

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>• Meets the requirements in the following standards of Clause 54:</td>
</tr>
<tr>
<td></td>
<td>• A10 Side and rear setbacks.</td>
</tr>
<tr>
<td></td>
<td>• A11 Walls on boundaries.</td>
</tr>
<tr>
<td></td>
<td>• A12 Daylight to existing windows.</td>
</tr>
<tr>
<td></td>
<td>• A13 North-facing windows.</td>
</tr>
<tr>
<td></td>
<td>• A14 Overshadowing open space.</td>
</tr>
<tr>
<td></td>
<td>• A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.04-6
31/07/2018
VC148

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

Permit requirement

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

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

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

A permit is not required to construct one dependent person’s unit on a lot.

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

• An application for a planning permit lodged before that date.
• An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
An application for a planning permit lodged before the approval date of Amendment VC136.

An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>A10 Side and rear setbacks.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>- A11 Walls on boundaries.</td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

### Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

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

---

### Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General
Any application requirements specified in a schedule to this zone.

Use for industry and warehouse
Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use
An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review
Subdivision
An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
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.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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 facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

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

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Signs

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

SCHEDULE 1 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ1**.

WARRNAMBOOL MIXED USE AREAS

1.0

15/07/2013
VC100

Objectives

None specified.

2.0

15/07/2013
VC100

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

15/07/2013
VC100

Maximum building height requirement

None specified.

4.0

15/07/2013
VC100

Exemption from notice and review

None specified.

5.0

15/07/2013
VC100

Application requirements

None specified.

6.0

15/07/2013
VC100

Decision guidelines

None specified.
SCHEDULE 2 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as MUZ2.

‘THE MILL AT WARRNAMBOL’ REDEVELOPMENT, HARRIS STREET, WARRNAMBOOL

1.0 Objectives

To provide a mix of community, public use, convenience retailing and/or tourism uses.

To provide a high quality, well designed, energy efficient development that contributes to the surrounding land use context.

To integrate future development with surrounding public land.

To provide a unique sense of place that reflects the historical and social significance of the former Woollen Mill.

To contain built form within the the parameters of the existing mill structures.

2.0 Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Site coverage</td>
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<td>Permeability</td>
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<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
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<td>Walls on boundaries</td>
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</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement

A building must not exceed a height of 14 metres.

4.0 Exemption from notice and review

The following applications are exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act:

- construct or extend one or more dwellings on a lot or on common property
- construct a building or construct or carry out works for a use in section 2, other than industry and warehouse.

5.0 Application requirements

An application 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 and design.
- Setbacks to property boundaries.
- A mix of community, public use, convenience retailing and tourism uses.
- Proposed landscaping areas including treatment of the Lake Pertobe and Merri River interface.
- All proposed access and public pedestrian / cycle areas, including public access to the Merri River corridor.
- Details of any publicly accessible viewing tower, platform, lookout or similar feature including details of how direct views into existing adjoining lots can be obscured.

- A servicing report that identifies the location of easements and services and explains how:
  - The site can be adequately drained, sewer and supplied with water to the satisfaction of Wannon Water.
  - Existing water supply and drainage assets can be accommodated or relocated to the satisfaction of Wannon Water.

### Decision guidelines

The following decision guidelines 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.

- Whether buildings are within the parameters of the existing mill structures, being between 9 metres and 14 metres above ground level.
SCHEDULE 3 TO CLAUSE 32.04 MIXED USE ZONE
Shown on the planning scheme map as MUZ3.

811-821, 823 AND 825 RAGLAN PARADE, WARRNAMBOOL

1.0 Objectives
To provide a flexible site development framework which provides for a range of accommodation, office, retail and/or warehouse uses which complement the mixed-use function of the locality.
To encourage quality development through a high standard of innovative urban design, built form and landscaping.
To ensure car parking and vehicle access does not dominate front setbacks of new buildings.
To ensure the interface with adjoining industrial uses is addressed through appropriate landscape buffers.

2.0 Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
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<td>Site coverage</td>
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<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement
None specified.

4.0 Exemption from notice and review
The following applications are exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act:
- Construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2 (other than Industry).

5.0 Application requirements
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. An application must be accompanied by the following information, as appropriate:

Plans drawn to scale and dimensioned which show:
- The boundaries of land and proposed development parcels.
- Any sites of heritage significance and the means by which they will managed.
The layout of proposed buildings and works.
- An elevation of the building design and height.
- High standard of design treatment and activation of frontages to Raglan Parade.
- Indicative uses for proposed buildings.
- The relationship of existing or proposed uses on the land and adjoining land.
- Setbacks to property boundaries including appropriate interface treatments and measures to protect amenity of future residents.
- All proposed driveway, car parking, loading areas.
- Proposed landscape areas.

Traffic Management Assessment which includes:
- Estimated vehicle and pedestrian generation levels.
- Ingress and egress points and estimated levels of usage.
- The number of car parking spaces, allocation and location of car parking on the land.
- Provision for the loading and unloading of vehicles.
- Provision of bicycle facilities.

Landscape Concept Plan which includes:
- A description of the landscape design approach to be applied.
- Landscape treatments to sensitive interfaces.

Decision guidelines

The following decision guidelines 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:

- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings.
- Whether the development will provide for a range of accommodation, office, retail and/or warehouse uses which complement the mixed-use function of the locality.
- 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.
- The interface with adjoining zones, especially the relationship with adjoining industrial uses.
TOWNSHIP ZONE

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

Purpose

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

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

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

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>
Use

Refuse disposal

Saleyard

Stone extraction

32.05-3
27/03/2017
VC110

Use for a dwelling or a dependent person’s unit

A lot may be used for a dwelling provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

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

32.05-4
27/03/2017
VC110

Use for industry and warehouse

Amenity of the neighbourhood

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.

- The appearance of any stored materials or goods.

- Traffic generated by the use.

- Emissions from the land.

32.05-5
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.

- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 or more lots</td>
<td>Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.</td>
</tr>
</tbody>
</table>
Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- A plan which shows a building envelope and effluent disposal area for each lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

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 of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |
Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement
A permit is required to:
- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

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

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

A permit is not required to construct one dependent person’s unit on a lot.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

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.

Requirements of Clause 54 and Clause 55
A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.
If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### 32.05-9
**Residential aged care facility**

**Permit requirements**
A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### 32.05-10
**Buildings and works associated with a Section 2 use**
A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.05-2.

**VicSmart applications**
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>• The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### 32.05-11
**Maximum building height requirement for a dwelling or residential building**
A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

A building may exceed the maximum building height specified in a schedule to this zone if:
It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

**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 Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and despatch of materials and goods).
- Any other application requirements specified in a schedule to this zone.

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The objectives set out in a schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- Any other decision guidelines specified in a schedule to this zone.

**Use for industry and warehouse**

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Any other decision guidelines specified in a schedule to this zone.

**Subdivision**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of one dwelling on a lot**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The objectives, standards and decision guidelines of Clause 54.

Any other decision guidelines specified in a schedule to this zone.

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

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

- Any other decision guidelines specified in a schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as TZ.

WARRNAMBOOL TOWNSHIPS

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

No

1.0

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified.

3.0

Application requirements

None specified.

4.0

Decision guidelines

None specified.
GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

**Purpose**

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

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**Neighbourhood character objectives**

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

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Bed and breakfast            | No more than 10 persons may be accommodated away from their normal place of residence.  
                              | At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. |
| Community care accommodation | Must meet the requirements of Clause 52.22-2.                               |
| Dependent person’s unit      | Must be the only dependent person’s unit on the lot.                        |
| Domestic animal husbandry (other than Domestic animal boarding) | Must be no more than 2 animals.                                             |
| Dwelling (other than Bed and breakfast) |                                                                                  |
| Home based business         |                                                                                           |
| Informal outdoor recreation  |                                                                                           |
| Medical centre              | The gross floor area of all buildings must not exceed 250 square metres.  
                              | Must not require a permit under Clause 52.06-3.                               
                              | The site must adjoin, or have access to, a road in a Road Zone.                |
| Place of worship            | The gross floor area of all buildings must not exceed 250 square metres.  
<pre><code>                          | The site must adjoin, or have access to, a road in a Road Zone.                |
</code></pre>
<p>| Racing dog husbandry        | Must be no more than 2 animals.                                                      |
| Railway                     |                                                                                           |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Section 2 - Permit required</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
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 Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility) |  
Any other use not in Section 1 or 3 |  
Section 3 – Prohibited
Amusement parlour |  
Animal production (other than Grazing animal production) |  
Animal training |  
Brothel |  
Cinema based entertainment facility |  
Domestic animal boarding |  
Horse husbandry |  
Industry (other than Car wash) |  
Motor racing track |  
Nightclub |  
Office (other than Medical centre) |  
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery) |  
Saleyard |  
Stone extraction |  
Transport terminal |  
Warehouse (other than Store) |  

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

### Objectives and standards to be met

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>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.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

### 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

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>
Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or

- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.

- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

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 of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.

- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards</td>
<td></td>
</tr>
<tr>
<td>specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a</td>
<td></td>
</tr>
<tr>
<td>requirement set out in the Clause 54 standard, the requirement in the schedule</td>
<td></td>
</tr>
<tr>
<td>to the zone applies and must be met.</td>
<td></td>
</tr>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is</td>
<td>Clause 59.03</td>
</tr>
<tr>
<td>associated with one dwelling.</td>
<td></td>
</tr>
</tbody>
</table>

32.08-6
31/07/2018
VC148

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

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**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.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

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**Application requirements**

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The 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 facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

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

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1

GENERAL RESIDENTIAL AREA

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

None specified.

4.0 Application requirements

None specified.

5.0 Decision guidelines

None specified.
NEIGHBOURHOOD RESIDENTIAL ZONE

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas of predominantly single and double storey residential development.
To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**Neighbourhood character objectives**

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be located in an existing building.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
|  | The site must not exceed either:
|  | 3000 square metres.
|  | 3600 square metres if it adjoins on two boundaries a road in a Road 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 Road Zone.

**Utility installation (other than Minor utility installation and Telecommunications facility)**

**Any other use not in Section 1 or 3**

### Section 3 – Prohibited

**Use**

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Horse husbandry
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

### Subdivision

**Permit requirement**

A permit is required to subdivide land.
An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>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.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

| Subdivide land into lots each containing an existing building or car parking space where: | Clause 59.02 |
| - 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. | |
### Class of application

**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.

---

### Construction or extension of a dwelling or residential building

#### Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

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 of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.
A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Meets the minimum garden area requirement of Clause 32.09-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

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

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**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.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
• It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

• It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

**Application requirements**

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

• For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

• For an application for subdivision, a site and context description and design response as required in Clause 56.

• Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses, including siting and dimensioned setbacks.
  - The building form and scale.
  - Setbacks to property boundaries.

• The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

• Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision
An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General
- The 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 facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development
In the local neighbourhood context:
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

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

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

COASTAL/HOPKINS RIVER ENVIRONMENT GROWTH AREA

1.0
Minimum subdivision area
None specified.

2.0
Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified.</td>
<td></td>
</tr>
</tbody>
</table>

3.0
Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td></td>
<td>B28</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

4.0
Number of dwellings on a lot
None specified.

5.0
Maximum building height requirement for a dwelling or residential building
None specified.

6.0
Application requirements
None specified.

7.0
Decision guidelines
None specified.
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as IN1Z.

Purpose

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

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Informal outdoor recreation

Mail centre

Railway

Service station

The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

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.
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shipping container storage</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
</tbody>
</table>

| Take away food premises               | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.                                                                                                                                                                                                                                                         |

| Tramway                                | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.                                                                                                                                                                                                                                                         |

| Warehouse (other than Mail centre and Shipping container storage) | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.                                                                                                                                                                                                                                                         |
|                                                                  | The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:                                                                 |
|                                                                  | • The threshold distance, for a purpose listed in the table to Clause 53.10.                                                                                                                                                                                                                                                               |
|                                                                  | • 30 metres, for a purpose not listed in the table to Clause 53.10.                                                                                                                                                                                                                                                                     |
|                                                                  | Must not adversely affect the amenity of the neighbourhood, including through the:                                                                                                                                                                                                                                                        |
|                                                                  | • Transport of materials, goods or commodities to or from the land.                                                                                                                                                                                                                                                                      |
|                                                                  | • Appearance of any stored goods or materials.                                                                                                                                                                                                                                                                                             |
|                                                                  | • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.                                                                                                                                                                                                 |

| Any use listed in Clause 62.01     | Must meet the requirements of Clause 62.01.                                                                                                                                                                                                                                                                                           |
## Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>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.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use

Hospital
Intensive animal production
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

33.01-2
31/07/2018
VC148

Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

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:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**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:

- 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.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
### SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

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.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone. Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
</tr>
</tbody>
</table>
| Tramway | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Warehouse (other than Fuel depot, Mail centre or Shipping container storage) | Must meet the requirements of Clause 62.01. Any use listed in Clause 62.01. |
| Caretaker's house | 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) | Must not be a primary or secondary school. |
| Education centre | |
| Industry (other than Service industry) | |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) | |

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Industry (other than Service industry)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</td>
<td></td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
Office | The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus) |  
Restricted retail premises |  
Retail premises (other than Shop and Take away food premises) |  
Utility installation (other than Minor utility installation and Telecommunications facility) |  
Any other use not in Section 1 or 3 |  
**Section 3 - Prohibited**

Use |  
--- | ---
Accommodation (other than Caretaker’s house) |  
Cinema based entertainment facility |  
Hospital |  
Intensive animal production |  
Major sports and recreation facility |  
Motor racing track |  
Pig farm |  
Poultry farm |  
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met |  
Supermarket – if the section 1 conditions are not met |  

**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**

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 Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

• Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

• The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.

• The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

• The effect that nearby industries may have on the proposed use.

• The drainage of the land.

• The availability of and connection to services.

• The effect of traffic to be generated on roads.

• The interim use of those parts of the land not required for the proposed use.

• The effect on nearby industries.

Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

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:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

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

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**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:

- 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.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
## SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL ZONES
COMMERCIAL 1 ZONE

Shown on the planning scheme map as B1Z, B2Z, B5Z or C1Z.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation
A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne.
That schedule may:
- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>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).</td>
</tr>
<tr>
<td>Cinema</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Education centre (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
</tbody>
</table>
| 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**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>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.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
</tbody>
</table>
Use

Major sports and recreation facility
Motor racing track

Use of land
A use must not detrimentally affect the amenity of the neighbourhood, including through the:
- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works
A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provisions specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
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<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

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.

Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Application requirements

Use

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The interface with adjoining zones, especially the relationship with residential areas.

**Use**
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

- The availability of and connection to services.

- The design of buildings to provide for solar access.

- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

**Transitional provisions**

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 Gateway Road, 46 Gateway Road, and 54 Gateway Road (also known as 164 Raglan Parade, Warrnambool - L1PS602046U, L2PS605046U and L3PS902046U) (land shown as GV on Plan 1).</td>
<td>None specified</td>
<td>6,708</td>
</tr>
<tr>
<td>Gateway Plaza Shopping Centre, 154 Raglan Parade (land shown as GP on Plan 1).</td>
<td>None specified</td>
<td>33,374</td>
</tr>
<tr>
<td>Northpoint Village Shopping Centre, 70-82 Hopkins Highway and 35-45 Hayley Drive, Warrnambool.</td>
<td>None specified</td>
<td>4,500</td>
</tr>
<tr>
<td>Dennington Neighbourhood Activity Centre (land on the north side of Raglan Parade bounded by Russell Street, Lindsay Street and the railway line, Dennington).</td>
<td>None specified</td>
<td>4,500</td>
</tr>
</tbody>
</table>
| 1-49 Raglan Parade, Warrnambool | None Specified | 6,000  
The leasable floor area for each shop must be a minimum of 1,000m². |

### Plan 1 to Clause 34.01 - Commercial 1 Zone

[Map of the area with shaded regions marked GV and GP]
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

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

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Informal outdoor recreation

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 Road Zone. |
## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must be on land within the City of Greater Geelong or within an urban</td>
</tr>
<tr>
<td></td>
<td>growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to</td>
</tr>
<tr>
<td></td>
<td>Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road)</td>
</tr>
<tr>
<td></td>
<td>which is in a residential zone, Commercial 1 Zone, Capital City Zone,</td>
</tr>
<tr>
<td></td>
<td>Docklands Zone, land used for a hospital or an education centre or land</td>
</tr>
<tr>
<td></td>
<td>in a Public Acquisition Overlay to be acquired for a hospital or an</td>
</tr>
<tr>
<td></td>
<td>education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause</td>
</tr>
<tr>
<td></td>
<td>53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably</td>
</tr>
<tr>
<td></td>
<td>accessible on foot) from a residential zone, land used for a hospital,</td>
</tr>
<tr>
<td></td>
<td>primary school or secondary school or land in a Public Acquisition Overlay</td>
</tr>
<tr>
<td></td>
<td>to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor</td>
<td></td>
</tr>
<tr>
<td>recreation, Major sports and recreation facility and</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival,</td>
<td></td>
</tr>
<tr>
<td>Cinema, Cinema based entertainment facility, Circus and</td>
<td></td>
</tr>
<tr>
<td>Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises,</td>
<td></td>
</tr>
<tr>
<td>Postal agency, Restricted retail premises, Supermarket</td>
<td></td>
</tr>
<tr>
<td>and Trade supplies)</td>
<td></td>
</tr>
</tbody>
</table>
Condition Use

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 Road Zone.

Transfer station

The land must be at least 30 metres from 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.

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

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application

Subdivide land to realign the common boundary between 2 lots where: Clause 59.01
## Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
</tr>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - 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.

### Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Application requirements**

**Use**

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.

- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL ZONES
RURAL LIVING ZONE

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

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential use in a rural environment.
To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
## Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Bar</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to Poultry farm is not met</strong></td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Convenience shop</strong></td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td><strong>Dependent person's unit - if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Freeway service centre</strong></td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td><strong>Hotel</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Medical centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Plant nursery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Postal agency</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Racing dog husbandry – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td><strong>Restaurant</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>The site must either:</td>
</tr>
<tr>
<td>Service station</td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Store</td>
<td>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.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Bar, Convenience shop, Hotel, Market,</td>
<td></td>
</tr>
<tr>
<td>Plant nursery, Postal agency, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
<td></td>
</tr>
</tbody>
</table>
Use of land for a dwelling

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

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

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

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

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

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Buildings and works

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

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

**Agricultural issues**
- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

**Environmental issues**
- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

**35.03-6**

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 3.
## SCHEDULE TO THE RURAL LIVING ZONE

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

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum subdivision area (hectares).</strong></td>
<td>All land except that listed below under (a) and (b): 4 hectares</td>
</tr>
<tr>
<td>(a) Parish of Meeral, Plummers Hill Road, Woodford (as per attached map 1).</td>
<td>(a) Except for lots created pursuant to Permit P3885, 1 hectare minimum lot size for each new lot created.</td>
</tr>
<tr>
<td>(b) Logans Beach Area/Hopkins Point Road Area (as per attached map 2)</td>
<td>(b) Minimum lot size 6,000 sq metres and an average lot size of 10,000 sq. metres for a multiple lot subdivision.</td>
</tr>
<tr>
<td><strong>Minimum area for which no permit is required to use land for a dwelling (hectares).</strong></td>
<td>All land except that listed below under (a): 2 hectares</td>
</tr>
<tr>
<td>(c) Parish of Meeral, Plummers Hill Road, Woodford (as per attached map 1).</td>
<td>(a) 0.5 hectares</td>
</tr>
<tr>
<td><strong>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Minimum setback from a road (metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Minimum setback from a boundary (metres).</strong></td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Minimum setback from a dwelling not in the same ownership (metres).</strong></td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
Schedule to the Rural Living Zone – MAP 2
**FARMING ZONE**

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

**Purpose**

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

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

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

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

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

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

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>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.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
| Rural industry (other than Abattoir and Sawmill) | Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:  
  - 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.                                                                                                                                                                                                 |
| Rural store                              | Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be used in conjunction with Agriculture. Must be the only Rural store on the lot.                                                                                                                                                                                      |
| Timber production                        | Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of:  
  - Any dwelling in separate ownership.  
  - Any land zoned for residential, commercial or industrial use.  
  - Any site specified on a permit which is in force which permits a dwelling to be constructed. The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority. |
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tramway</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 – Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
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<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)</td>
</tr>
</tbody>
</table>

**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:
Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

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

**Subdivision**

A permit is required to subdivide land.

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

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

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

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

**Buildings and works**

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

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td><strong>Any works must not be earthworks specified in the schedule to the zone.</strong></td>
<td></td>
</tr>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td><strong>Any works must not be earthworks specified in the schedule to the zone.</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements for dwellings**

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

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

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

Agricultural issues and the impacts from non-agricultural uses

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

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

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

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use and development will require traffic management measures.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
**SCHEDULE TO THE FARMING ZONE**

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

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares). All land</td>
<td>15 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares). All land</td>
<td>15 hectares</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares). None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres). None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres). None specified</td>
<td></td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres). None specified</td>
<td></td>
</tr>
<tr>
<td>Minimum setback from a road (metres). A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1</td>
<td>100 metres</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2</td>
</tr>
<tr>
<td></td>
<td>Any other road</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres). Any other boundary</td>
<td>5 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres). Any dwelling not in the same ownership</td>
<td>100 metres</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary. All land</td>
<td></td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater. All land</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC LAND ZONES
PUBLIC USE ZONE

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

**Application requirements**

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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.

### Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

### Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

### Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), 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.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
## SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeanning or bulk sampling.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td></td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transport terminal (other than Heliport)</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

### Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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.

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
# SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

---

**WARRNAMBOOL PLANNING SCHEME**
PUBLIC CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

Purpose

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

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

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

To provide for appropriate resource based uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat launching facility</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td></td>
</tr>
</tbody>
</table>

- Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Specified in an Incorporated plan in a schedule to this zone.
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services facility</td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the <em>National Parks Act 1975</em>. 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.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

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

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958* or the *Crown Land (Reserves) Act 1978*.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

36.03-4
31/07/2018
VC148
Exemption from notice and review
An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5
18/06/2010
VC62
Referral of applications
An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

36.03-6
31/07/2018
VC148
Decision guidelines
Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-7
18/06/2010
VC62
Incorporated plan
An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as RDZ1 for a Category 1 road and RDZ2 for a Category 2 road.

**Purpose**

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

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

---

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td>Any other use not in Section 1 or 3</td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

---

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

---

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control 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.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
37.01

SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

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

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

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

37.01-2

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td> The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td> The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td> The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td> 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td> The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td> Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td> Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td> The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

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:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement
A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.
An apartment development must meet the requirements of Clause 58.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

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.

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.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

WARRNAMBOOL RACECOURSE

Purpose
To allow for the efficient operation of the Warrnambool Racecourse and associated facilities, including the conduct of regular sporting and festival events.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Horse stables)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Food and Drink Premises</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td>Horse Stables</td>
<td>The layout of the site will be in accordance with Plan No. 402 prepared by Alan Simpson, Land Surveyor, dated June 1996</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Racecourse</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (Other than Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Leisure &amp; recreation (Other than Informal outdoor recreation &amp; Racecourse)</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly Utility (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Any use not in Section 1 or 3.</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Retail Premises (other than Gambling premises, Market and Food and drink premises)</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Office</td>
</tr>
</tbody>
</table>
Buildings and Works

A permit is required to construct a building or construct or carry out works for a use in Section 2.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information:

- 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.
  - All driveway, car parking and loading areas and pedestrian entry/exit points for the site.
  - Where required, details of any noise control measures.
  - Where required, a traffic management plan which includes traffic management and traffic control works considered necessary.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.

- 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, and method of watering and maintaining the landscape area.

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider:

- The provision of car parking.

- Any amenity impacts arising from the proposal including noise, dust, odour, vibration and light spill.

- Any increase in traffic generation.

- The height, siting and form of proposed buildings (including the set back of buildings from lot and street boundaries).

- The interface of the site with adjoining zones, especially the relationship with residential areas.

- The provision for landscaping.

- The movement of pedestrians and vehicles providing for supplies, waste removal, emergency services and public transport.

- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works.

- The storage or rubbish and materials for recycling.

Advertising signs

Advertising requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

WARRNAMBOOL SHOWGROUNDS

Purpose
To allow for the efficient operation of the Warrnambool Showgrounds for the enjoyment of the general public, including the conduct of regular festival events.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Any use not in Section 1 or 3.</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Brothel</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and Works

A permit is required to construct a building or construct or carry out works for a use in Section 2.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information:

- 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.
- All driveway, car parking and loading areas and pedestrian entry/exit points for the site.
- Where required, details of any noise control measures.
- Where required, a traffic management plan which includes traffic management and traffic control works considered necessary.
- Proposed landscape areas.
- All external storage and waste treatment areas.

- 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, and method of watering and maintaining the landscape area.

Decision guidelines
Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider:

- The provision of car parking.
- Any amenity impacts arising from the proposal including noise, dust, odour, vibration and light spill.
- Any increase in traffic generation.
- The height, siting and form of proposed buildings (including the setback of buildings from lot and street boundaries).
- The interface of the site with adjoining zones, especially the relationship with residential areas.
- The provision for landscaping.
- The movement of pedestrians and vehicles providing for supplies, waste removal, emergency services and public transport.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works.
- The storage or rubbish and materials for recycling.

Advertising signs
Advertising requirements are at Clause 52.05. This zone is in Category 4.
## Warrnambool West Industrial Precinct - Transition Area

### Purpose

To provide for a range of industrial uses, storage, distribution of goods, services and associated uses in a manner which provides an appropriate transition between residential properties on Merrivale Drive and the West Warrnambool Industrial Precinct.

To provide for a high standard of building design and landscaping to reflect the prominent location and visual profile of the land.

To manage and minimise amenity based conflicts between industrial activities and sensitive land uses.

To manage the establishment of sensitive land uses within existing buffers taking into account potential for amenity based conflicts.

### Table of Uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caretaker’s house</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Industry (other than Abattoir, Materials recycling, Refuse disposal, Sawmill, Transfer station)</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)</td>
<td></td>
</tr>
<tr>
<td><strong>Restricted retail premises (other than Party supplies)</strong></td>
<td>Must be in one occupation with a leasable floor area of at least 1,000 square metres.</td>
</tr>
<tr>
<td><strong>Retail premises (other than Convenience shop, Restricted retail premises, and Shop)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Materials recycling</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Shop (other than Convenience shop and Restricted retail premises).</td>
</tr>
<tr>
<td>Transfer station</td>
</tr>
</tbody>
</table>
Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- The effect of additional traffic and parking.
- 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.
- Potential to unreasonably overlook existing private open space.

Application requirements

An application to use land for an industry 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 separation distance between the proposed use and sensitive land uses is recommended within the ‘Recommended Separation Distance for Industrial Residual Air Emissions, Publication 1518’.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Light spill or glare.
- A Transport Impact Assessment Report that contains the following information:
  - Estimated vehicle generation levels.
  - The level, allocation and location of car parking required on the land.
  - Ingress and egress points and the estimated levels of usage.
  - Any proposed off-site traffic management treatments.
  - Pedestrian and bicycle movement and connections.

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 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.
Whether a separation distance between the proposed use and sensitive land uses is recommended within the ‘Recommended Separation Distance for Industrial Residual Air Emissions, Publication 1518’.

- 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.
- Any measures to protect the health and safety of persons on the land or on land nearby.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**Application requirements**

An application to subdivide land must be accompanied by a layout plan (informed by a Traffic Impact Assessment) that:

- Details all aspects of the movement network, including streets, intersection treatments, traffic management devices and pedestrian/cycle paths.
- Includes typical cross sections for all streets.
- Identifies any proposed off site traffic management treatments including the upgrading of Eccles Street and its intersection with Merrivale Drive.
- Provides a landscape buffer at the rear of residential properties fronting Merrivale Drive and along Eccles Street.

**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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas including ability to accommodate a mature 5 metre landscape buffer along the southern boundary of the land and ability to accommodate uses without unreasonable overlooking of private open space.
- Management of traffic impacts on Eccles Street.
Buildings and works

Permit requirement

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

This does not apply to:

- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than 100 square metres.
- An outbuilding associated with an existing dwelling provided the floor area of the outbuilding is not more than 100 square metres.
- 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, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 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

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 and any proposed cut and fill arrangements.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking, loading areas and vehicle access egress.
  - External storage and waste treatment areas.
  - Location and direction of external lighting.
  - 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 plan which includes the description of vegetation to be planted, including the 5 metre mature landscaped area, 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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

- 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.

5.0 Advertising signs
Advertising sign requirements are at Clause 52.05. This zone is in Category 2.
URBAN FLOODWAY ZONE

Shown on the planning scheme map as UFZ.

Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- 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:
- 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.

### Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

### Application requirements

#### General

An application must be accompanied by any information specified in the schedule to this zone.

#### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
The existing use and development of the land.

Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.

The susceptibility of the development to flooding and flood damage.

The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
- The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
### SCHEDULE TO THE URBAN FLOODWAY ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL AND LANDSCAPE OVERLAYS
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives
A schedule to this overlay must contain:
- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement
A permit is required to:
- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
### Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• 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.</td>
</tr>
</tbody>
</table>

**Subdivide land into 2 lots if:**

- Clause 59.02
  - The construction of a building or the construction or carrying out of works on the land:
    - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
    - Has started lawfully.
  - The subdivision does not create a vacant lot.

- Clause 59.05
  - Construct a fence.

- Clause 59.06
  - Remove, destroy or lop one tree.

- Clause 59.05
  - 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.

### Table of exemptions

#### The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• 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</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• fire fighting;</td>
</tr>
<tr>
<td></td>
<td>• planned burning;</td>
</tr>
<tr>
<td></td>
<td>• 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;</td>
</tr>
<tr>
<td></td>
<td>• 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);</td>
</tr>
<tr>
<td></td>
<td>• is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
<tr>
<td>The requirement to obtain a permit does not apply to:</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>• 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 <em>Electricity Safety Act 1998</em>;</td>
<td></td>
</tr>
<tr>
<td>• 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 <em>Conservation, Forests and Lands Act 1987</em>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <em>Road Management Act 2004</em>.</td>
<td></td>
</tr>
<tr>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Greenhouse gas sequestration and exploration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land management or directions notice</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land use conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mineral exploration and extraction</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 <em>Mineral Resources (Sustainable Development) Act 1990</em>:</td>
</tr>
<tr>
<td>• that is low impact exploration within the meaning of Schedule 4A of the <em>Mineral Resources (Sustainable Development) Act 1990</em>; or</td>
</tr>
<tr>
<td>• in accordance with a work plan approved under Part 3 of the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
</tr>
<tr>
<td>Note: Schedule 4A of the <em>Mineral Resources (Sustainable Development) Act 1990</em> specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Noxious weeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pest animal burrows</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
<tr>
<td>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planted vegetation</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Railways</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regrowth</th>
</tr>
</thead>
<tbody>
<tr>
<td>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:</td>
</tr>
<tr>
<td>• bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td>• 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.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

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 costeasing and bulk sampling activities.

**Stone extraction**

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction 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.

**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).

---

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

COASTAL ENVIRONS

1.0

Statement of environmental significance

The Warrnambool coastline is of outstanding environmental significance and is of great value as a conservation, scientific and tourism resource. Logan’s Beach is visited by the Southern Right Whales from July to October each year, which is an attraction of international interest. The Breakwater Harbour/Lady Bay area is Warrnambool’s main beach and foreshore reserve and is identified in the Victorian Coastal Strategy as a tourism node. It is important that the environmental qualities of the coast are maintained through the protection of the indigenous coastal vegetation (described in 21.09 of the MSS) and the maintenance of the coastal dune system which can be significantly affected by erosion, pest plants and animals and the impact of settlement. Coastal areas especially in the west have been identified as high potential recharge areas. Potential impacts of development on the water table must be considered.

2.0

Environmental objective to be achieved

To protect the natural and cultural values of the coast, and appreciate the complex nature of biological and physical coastal processes.

To promote the integrated management and protection of the coastal areas by the community, private sector and various levels of government.

To recognise the economic value of coastal tourism, and balance the desire for public access to the coast and proposals for coastal tourism facilities with the need to sustainably manage natural and cultural coastal values, which includes placing limitations upon the extent of coastal areas available for development.

To ensure freehold land along the coast is used and developed in a sustainable manner.

To prevent and arrest coastal erosion, including discouraging the grazing by stock of sensitive coastal environs and cliff tops.

To maintain and enhance stands of remnant vegetation and encourage planting of locally indigenous species.

To arrest the spread and encourage the removal of invasive environmental weeds.

3.0

Permit requirement

Development and subdivision of land will be undertaken in accordance with the environmental objectives of this schedule.

The responsible authority may require a geotechnical report from a suitably qualified or experienced person to be submitted with an application. The report should identify any land, which is unstable and is, or may be, subject to landslip or subsidence.

The design and siting of buildings, works and other infrastructure, including access routes in coastal areas will be sensitive to the natural and aesthetic qualities of the coastal environment, and be consistent with siting and design guidelines prepared by the Victorian Coastal Council.

New buildings and works should not be sited in visually intrusive locations, including prominent cliffs and headlands, nor cause loss of amenity in the surrounding area.

Areas subject to environmental hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea level rise will be identified and managed to avoid or minimise the need for engineering or remedial works to protect land, property and human life.
Development should not take place in the area identified as the Coastal Protection Area in Clause 22.01-2 Logans Beach of the Local Planning Policy Framework, to ensure the integrity of the dune system is maintained.

Development should not significantly alter the morphology of watercourses, estuaries, lagoons, coastal outlets, offshore bars and the like. Interference with the natural processes of deposition and erosion should only occur where there is an overriding public need.

A permit application must, as appropriate, be accompanied by a site analysis and plan(s) of the proposal which include:

- The topography of the site and location of any existing native vegetation, sand dunes and drainage lines.
- The location of any buildings, works, and effluent treatment arrangements proposed, including the distance to the high water mark, top of the primary dune, or cliff top (whichever is applicable).
- Elevations of any proposed buildings or works including exterior surface treatments. The elevations must illustrate the existing and proposed ground level in relation to the proposal.
- The location and type of any native vegetation to be removed, and reasons for which removal of the vegetation is necessary.
- Adequate means of protecting the natural habitat values in the vicinity of the application from disturbance, including fencing from stock.
- A Landscaping Plan which shows areas to be planted with indigenous species, and type of species to be planted. Plants recognised locally as environmental weeds should not be included.
- Detailed plans showing the means of stabilising the dune system in the vicinity of the proposed buildings and works.
- A Soil & Water Report demonstrating that stormwater flows and drainage from the site shall not cause erosion, siltation or degradation of the coastal dune system or any nearby watercourse, where considered appropriate by the responsible authority.

A permit is not required for:

- Repairs and maintenance of existing buildings and works;
- Erection of fences not more than 1.5 metres in height, and
- Informal outdoor recreation.

**Decision guidelines**

Before deciding on an application the responsible authority must consider:

- Any relevant strategy or policy prepared by the Victorian Coastal Council and the relevant Coastal Management Board including the Victorian Coastal Strategy and any relevant Coastal Action Plan.
- The preservation of the coastal environment including natural coastal processes, any important vegetation or conservation characteristics of the area and the suitability of the site for proposed development.
- In the case of a subdivision, the desirability of a development envelope or non-development area which results in retaining vegetation in the vicinity of beach, cliff, estuary, salt marsh, watercourse, road, property boundary and natural habitat areas.
- The need to control the siting, shape and height of any buildings or extensions;
- The extent to which the materials, colours and external finishes of buildings complement, rather than detract in appearance and character from the coastal environment.
- The environmental capacity of the land.
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2

HOPKINS & MERRI RIVER ENVIRONS

1.0

Statement of environmental significance

The City’s waterways are a significant environmental resource that should be protected from inappropriate development. The Hopkins and Merri River environs should be retained as natural drainage corridors with vegetated buffer areas wherever possible in order to perform their long term function as drainage areas, stream habitat and landscape areas, Erosion and polluted surface runoff from adjacent land uses should be minimised. Emphasis needs to be placed on the restoration and revegetation of degraded streamlines. The Hopkins River has a significant tidal estuary, and both rivers contain important fish stocks and provide a habitat for rare and threatened species.

2.0

Environmental objective to be achieved

To protect the natural, cultural and visual values of the Hopkins and Merri Rivers, their tributaries, adjacent land and associated habitat corridors.

To promote the integrated management and protection of the rivers and adjacent land.

To ensure freehold land along the rivers is used and developed in a sustainable manner.

To maintain and enhance stands of remnant vegetation and encourage planting of locally indigenous species.

To prevent and arrest erosion of the riverbanks, which includes discouraging the grazing of stock close to riverbanks.

To place high priority on protecting the rivers and adjacent land in locations which are visible from main roads, residential areas and other key activity locations.

To provide the opportunity for the provision of public open space adjacent to the river in appropriate locations to provide for passive and active recreational activities.

3.0

Permit requirement

A permit application must, as appropriate, be accompanied by a site analysis and plan(s) of the proposal which include:

- The topography of the site and location of any existing native vegetation and drainage lines;
- The location of any buildings, works, and effluent treatment arrangements proposed, including the distance to the high water mark of the river, or distance to the river bank or cliff top where there is a substantial drop to the river;
- Elevations of any proposed buildings or works including exterior surface treatments;
- The location and type of any native vegetation to be removed, and reasons for which removal of the vegetation is necessary;
- Adequate means of protecting the natural and habitat values of the rivers edge and/or river bank/cliff top in the vicinity of the application from disturbance, including fencing from stock;
- A Landscaping Plan which shows areas to be planted with indigenous species, and type of species to be planted, and treatment of the river’s edge (if applicable);
- Proposed arrangements for stormwater discharge, and
- In areas where reticulated sewerage is not available effluent is to be disposed so as to render negligible any impact upon the river and its tributaries.

A permit is not required for
Repairs and maintenance of existing buildings and works.

A Minor utility installation

Informal outdoor recreation.

**Decision guidelines**

Before deciding on the application, the responsible authority may consider:

- The comments of the Department of Natural Resources and Environment;
- The State Environment Protection Policy;
- The possible effect of the development on water quality;
- The potential for flooding to occur and proper management of flood prone land;
- The conservation of natural habitats, habitat corridors and the preservation of native fauna including fish and other marine life;
- The protection of Aboriginal cultural heritage sites;
- The impact of the proposal upon the visual qualities of the river and adjacent land and measures to reduce the impact of the development, which may include screening and or relocation of the proposal;
- The preservation of soils and need to prevent erosion, including the desirability of excluding stock from the vicinity of the water course;
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern;
- Whether buildings or works are likely to cause erosion or landslip;
- Any proposed measures to manage concentrated runoff and site drainage;
- The need to stabilise disturbed areas by engineering works or revegetation;
- In the case of a subdivision or major development the desirability of obtaining public access to the river and provision of public open space;
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*);
- Environmental Guidelines for Major Construction Sites, Environment Protection Authority, February 1996;
- Construction Techniques for Sediment Pollution Control, Environment Protection Authority, May 1991;
- Control of Erosion on Construction Sites, Soil Conservation Authority;
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources; and
- Land Capability Report (if prepared) as developed by the Department of Natural Resources and Environment, Centre for Land Protection Research.
SCHEDULE 3 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3

LAKE GILLEAR

1.0

Statement of environmental significance

Lake Gillear is a significant lake close to the coast, which forms an important asset for the maintenance of flora and fauna in the area east of Warrnambool. It is surrounded by farming and recreational facilities that may impact on the natural and cultural values of the lake. Erosion, runoff, and the need to protect indigenous vegetation, are significant issues that require ongoing attention.

2.0

Environmental objective to be achieved

To protect the natural and cultural values of Lake Gillear and adjacent land.

To ensure freehold land adjacent to Lake Gillear is used in a sustainable manner, primarily for farming and recreational purposes.

To allow the ongoing development of recreational facilities in the vicinity of Lake Gillear whilst maintaining natural and cultural values

To maintain and enhance stands of remnant vegetation and encourage planting of locally indigenous species

3.0

Permit requirement

A permit is not required for:

- Repairs and maintenance of existing buildings and works;
- A minor utility installation; and
- Informal outdoor recreation where no alteration to topography of the land occurs.

4.0

Decision guidelines

A permit application must, as appropriate, be accompanied by a site analysis and plan(s) of the proposal which include:

- The location of any buildings, works, and effluent treatment arrangements proposed, including the distance to the high water mark of Lake Gillear;
- Elevations of any proposed buildings including exterior surface treatments;
- The location and type of any native vegetation to be removed, and reasons for which removal of the vegetation is necessary;
- Adequate means of protecting the natural and habitat values of the foreshore of the lake in the vicinity of the application from disturbance;
- A Landscaping Plan which shows areas to be planted with indigenous species, and type of species to be planted, and treatment of the foreshore area (if applicable); and
- Proposed arrangements for stormwater discharge.

In the case of a proposal which will result in a potential increase of persons engaged in sport or increase of spectators visiting the Lake Gillear area the following matters will need to be addressed to the satisfaction of the responsible authority:

- Car parking and access.
- Public amenities.
- Other matters as considered appropriate by the responsible authority.
SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4

SOUTH WARRNAMBOOL WETLANDS

1.0

Statement of environmental significance

The South Warrnambool wetlands are significant coastal wetlands that form an important home for wildlife and native vegetation. The wetlands are of regional geological, flora, fauna and recreational significance. They are also of strong local Aboriginal, cultural and historic significance. Protection of the ecological integrity and quality of this asset is of prime importance. The management of recreational/tourist and interpretive activities is also of importance.

2.0

Environmental objective to be achieved

To recognise and protect, geological, historic, botanical, zoological and scenic values of the South Warrnambool Wetlands and their importance to local Aboriginal culture.

To protect the ecological integrity and quality of the natural areas from degradation of water quality and flows, invasive flora and fauna, vehicular and recreation-related impacts and land use impacts on adjacent land.

To establish recreation/tourism and interpretive activities, and provide access through the construction of walking tracks and erection of signs, interpretive shelters, viewing platforms and small bird hides.

3.0

Permit requirement

A permit is not required for

- Removal of environmental weeds.
- Repairs and maintenance of existing buildings and works including fences.
- A minor utility installation.
- Informal outdoor recreation.
- Walking tracks, interpretive facilities and signs, shelters, bird hides and car parking areas which are developed generally in accordance with the recommendations of the Landscape Management Plan for the South Warrnambool Wetlands.

4.0

Reference Document

SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO with a number.

Purpose

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

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

Landscape character and objectives

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the
    construction of dams) unless a specific requirement for that activity is specified in a schedule
    to this overlay.

- Construct a fence if specified in the schedule to this overlay.

- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not
  apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native
    vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column
1 is a class of VicSmart application and must be assessed against the provision specified in Column
2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- A rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Table of exemptions

<table>
<thead>
<tr>
<th>Requirement to obtain a permit does not apply to:</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency works</td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>• 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</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
</tr>
<tr>
<td>Fire protection</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>• fire fighting;</td>
</tr>
<tr>
<td></td>
<td>• planned burning;</td>
</tr>
<tr>
<td></td>
<td>• 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;</td>
</tr>
<tr>
<td></td>
<td>• 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);</td>
</tr>
<tr>
<td></td>
<td>• is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>• Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>• Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
<tr>
<td></td>
<td>• 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;</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
</tr>
<tr>
<td></td>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
</tr>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>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.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>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.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>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.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>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.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>• that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
</tbody>
</table>
### 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 native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noxious weeds</strong></td>
<td>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 (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td><strong>Pest animal burrows</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
<tr>
<td></td>
<td>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td><strong>Planted vegetation</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>Vegetation 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.</td>
</tr>
<tr>
<td><strong>Regrowth</strong></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- 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.</td>
</tr>
<tr>
<td></td>
<td><em>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.</em></td>
</tr>
<tr>
<td><strong>Road safety</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</td>
</tr>
<tr>
<td></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td><em>This exemption does not apply to costeasing and bulk sampling activities.</em></td>
</tr>
<tr>
<td><strong>Stone extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the <em>Mineral Resources (Sustainable Development) Act 1990</em> and authorised by a work authority granted under that Act.</td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
<td>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 <em>Surveying Act 2004</em>) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- 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).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
WARRNAMBOOL PLANNING SCHEME

SCHEDULE 1 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1.

COASTAL HINTERLAND LANDSCAPE AREA

1.0

Statement of nature and key elements of landscape

Warrnambool is the largest coastal city in Victoria, and is bordered by scenic coasts. The proximity of the Hopkins and Merri rivers to the coast also gives the rivers, their estuaries and the coasts important landscape qualities. Coastal and coastal hinterland views are of significance to residents, visitors and the tourist industry.

2.0

Landscape character objective to be achieved

To protect and enhance the scenic qualities of coastal hinterland areas.

To recognise the value of the scenic qualities of views towards the coast to residents, visitors and the tourist industry.

To maintain and enhance views from major roads and residential areas towards the coast.

To prevent the interruption of views towards the coast by inappropriate or poorly designed development or that which is sited in prominent locations.

To encourage development which does not intrude upon views of the coast.

To recognise hedgerows and established exotic vegetation as an important element of the coastal landscape.

3.0

Permit requirement

A permit application must, as appropriate, be accompanied by a site analysis and plan(s) of the proposal (in addition to any other information required to be submitted in accordance with this Planning Scheme) which includes:

- The topography of the site and location of any existing native vegetation, sand dunes and drainage lines.

- The location of any existing and proposed buildings and works, including fences of a height of more than 1.5 metres.

- Elevations of any proposed buildings or works including exterior surface treatments. The elevations must illustrate the existing and proposed ground level in relation to the proposal.

- A Landscaping Plan which shows all existing vegetation, any vegetation to be removed, areas to be planted with indigenous species, and type of species to be planted. Plants recognised locally as environmental weeds should not be included.

- Photographs of the site of the proposal, as viewed from any nearby residential areas, roads, or other public activity areas towards the coast. A photographic montage or wide-angle photographs should be submitted with an accompanying plan, which shows the location from which the photographs were taken.

A permit is not required for:

- Repairs and maintenance of existing buildings and works.

- Minor extensions or additions to existing buildings including pergolas, carports, and outbuildings of floor area of less than 100 square metres.

- Erection of fences not more than 1.5 metres in height.

- Informal outdoor recreation.

- Grave digging and funerary monuments.
Decision guidelines

Before deciding on the application, the responsible authority may consider:

- The extent of intrusion of the development upon views towards the coast, particularly from existing residential areas, major roads and other public locations.
- The desirability of site responsive structures in locations of high visual prominence.
- The desirability of using exterior finishes/colours and landscape screens to reduce the impact of a development.
- The desirability of relocating the proposal to a less prominent location on the site to reduce the impact on views towards the coast.
- The need to retain and replant indigenous coastal species.
- The desirability of maintaining existing hedgerows as part of the coastal landscape and to screen existing and proposed development.
SCHEDULE 2 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO2.

HARRINGTON ROAD HILLS

1.0

Statement of nature and key elements of landscape

The Harrington Road Hills provide panoramic views of some of Warrnambool’s most significant topographical features including the Hopkins and Merri River, coastal line and Hinterlands. The hills provide visual relief and a break between the industrial precinct to the east, and the low density residential area resting behind the hills to the west.

2.0

Landscape character objective to be achieved

The landscape character objective is to maintain and enhance these views by:

- Encouraging development to locate well below the ridgeline of the hills.
- Supporting the appropriate siting of development.
- Seeking to minimise visual and built from intrusion into the natural environment.
- Minimising native vegetation removal.
- Encouraging the re-establishment of indigenous vegetation.
- To encourage development which does not intrude upon the views of the hills.

3.0

Permit requirement

A permit application must, as appropriate, be accompanied by a site analysis and plan(s) of the proposal (in addition to any other information required to be submitted in accordance with this planning scheme) includes:

- The topography of the site and location of any existing native vegetation and drainage lines.
- The location of any existing or proposed buildings or works, including fences of a height of more than 1.5 metres.
- Elevations of any proposed buildings or works including exterior surface treatments. The elevations must illustrate the existing and proposed ground level in relation to the proposal.
- The location, extent and levels of any excavations or alterations to the natural surface, including details of work to stabilise areas of fill or excavation.
- Measures to reduce the visual impact of any buildings or works including landscaping and details regarding material and finishes.
- Areas for the reinstatement/regeneration of native revegetation.
- Any works necessary to control drainage and stormwater run off from all buildings, access roads and driveways.

A permit is not required for:

- Buildings and works associated with informal outdoor recreation.
- Erection of fences not more than 1.5 metres in height.

4.0

Decision guidelines

Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider:
- The extent of intrusion of the development upon views to and from the hills, particularly from existing residential areas, major roads and other public locations.
- The conservation and enhancement of the area including visual amenity.
- Preservation of, and impact on the natural environment and the need to prevent erosion.
- The desirability of site responsive structures in locations of high visual prominence.
- The preservation and protection of significant vegetation and habitat.
HERITAGE OVERLAY

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To conserve and enhance heritage places of natural or cultural significance.
To conserve and enhance those elements which contribute to the significance of heritage places.
To ensure that development does not adversely affect the significance of heritage places.
To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

**Scope**

The requirements of this overlay apply to heritage places specified in the schedule to this overlay.
A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

**Permit requirement**

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - 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.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park.
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- The construction or carrying out of the approved building or works on the land has started lawfully.
- The subdivision does not create a vacant lot.

Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.

Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.

Externally alter a non-contributory building.

External painting.

Construct a fence.

Construct a carport, garage, pergola, verandah, deck, shed or similar structure.

Construct and install domestic services normal to a dwelling.

Construct and install a non-domestic disabled access ramp.

Construct a vehicle cross-over.

Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.

Construct a rainwater tank.

Construct or display a sign.

Lop a tree.

Construct or install a solar energy facility attached to a dwelling.

Construct and install an electric vehicle charging station.

Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the Heritage Act 2017.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbecues, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
**Statements of significance**

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.

**Heritage design guidelines**

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

**Application requirements**

An application must be accompanied by any information specified in the schedule to this overlay.

**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 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 facility will adversely affect the significance, character or appearance of the heritage place.
**Use of a heritage place**

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

**Aboriginal heritage places**

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006.*
**SCHEDULE TO THE HERITAGE OVERLAY**

The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Heritage Place</th>
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</thead>
<tbody>
<tr>
<td>HO193</td>
<td><strong>Warnambool Botanic Gardens</strong>&lt;br&gt;Cockman Street and Botanic Road, Warnambool</td>
<td>-</td>
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<td><strong>Warnambool Cemetery, Sexton’s Cottage, Stone Wall and Rotunda</strong>&lt;br&gt;Otway Road, Warnambool</td>
<td>Yes</td>
<td>No</td>
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<td>HO197</td>
<td><strong>Former Presbyterian Church</strong></td>
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| HO342      | **St Carthages Catholic Church**  
18 Grauers Road, Allansford                                      | Yes                           | No                                  | Yes, Cupressus macrocarpa                                    | No                                                            | No                                                            | Yes                                           | No                                              |
| HO203      | **Allandale**  
457 Hopkins Point Road (north side)                           | Yes                           | Yes                                 | Yes                  |                                                               |                                                               | No                                                            | Yes                                              |
| HO204      | **Summer Hill**  
10 Jubilee Park Road, Allansford                                | Yes                           | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
| HO331      | **Shipley**  
10435-10489 Princes Highway, Allansford                         | Yes                           | No                                  | Yes                  | No, horse boxes, stallion box and former cheese factory       | No                                                            | No                                                            | No                                              |
| HO201      | **Tooram Park**  
200 Tooram Road, Allansford                                    | Yes                           | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
| HO349      | **Logans Farmhouse and Dairy**  
211 Tooram Road, Allansford                                      | Yes                           | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
| HO198      | **Allansford Memorial Pavilion and Gates, Allansford Recreation Reserve**  
Zeigler Parade, Allansford                                       | Yes                           | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
| HO200      | **Hopkins River Bridge**  
Zeigler Parade, Allansford                                        | No                            | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
| HO196      | **Bridge Hotel**  
1 Zeigler Parade, Allansford                                      | Yes                           | No                                  | No                   | No                                                            | No                                                            | No                                                            | No                                              |
### WARRNAMBOOL PLANNING SCHEME

<table>
<thead>
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<td>HO228</td>
<td>Railway Bridge Merri River, Dennington</td>
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<td>Former Nestles Factory Managers Residence, Office and Phoenix canariensis Drummond Street, Dennington</td>
<td>Yes</td>
<td>No</td>
<td>Yes, three Phoenix canariensis (Canary Island Palm)</td>
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<td>Nestles Employees Cottages (Demolished), 22-32 Drummond Street, Dennington</td>
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<td>Shamrock Hotel 101 Drummond Street, Dennington</td>
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<td>HO210</td>
<td><strong>Farnham Park Lodge</strong>&lt;br&gt;1 Farnham Road, Dennington&lt;br&gt;(Heritage place is defined as the building known as 'Farnham Park Lodge' and land within 15 metres of the building, including the stone building to the west).</td>
<td>Yes</td>
<td>No</td>
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<td>HO211</td>
<td><strong>Bonique</strong>&lt;br&gt;94 Farnham's Road, Illowa&lt;br&gt;(Heritage place is defined as the building known as 'Bonique' and land within 20 metres of the building).</td>
<td>No</td>
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<td>HO353</td>
<td><strong>Merri Lodge and Garden</strong>&lt;br&gt;45 Princes Highway, Dennington</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO356</td>
<td><strong>Merri Banks Farm</strong>&lt;br&gt;73 Station Street, Dennington</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes, stables</td>
<td>No</td>
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<td>HO364</td>
<td><strong>Former St Andrew’s Anglican Church</strong>&lt;br&gt;The Esplanade, Dennington</td>
<td>Yes</td>
<td>No</td>
<td>Yes, Schinus molle (Peppercorn Tree) in the east courtyard</td>
<td>No</td>
<td>No</td>
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<td>HO380</td>
<td><strong>Former St Andrew’s Anglican Church</strong>&lt;br&gt;The Esplanade, Dennington</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO357</td>
<td>50 Aitkins Road, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes, Phoenix canariensis (Canary Island Palm)</td>
<td>No</td>
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<td>HO11</td>
<td>6 Ardlie Street, Warrnambool</td>
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<td>HO189</td>
<td><strong>Wingfield</strong>&lt;br&gt;38 Ardlie Street, Warrnambool</td>
<td>Yes</td>
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<td><strong>Former Rowleys Brewery</strong>&lt;br&gt;Part 20 Banyan Street, Warrnambool (fronts Timor Street)</td>
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<td>HO338</td>
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<td>HO17</td>
<td><strong>Former Farm House</strong>&lt;br&gt;10 Baynes Street</td>
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<td>HO18</td>
<td><strong>“Wyton” Emmanuel College</strong>&lt;br&gt;(Formerly “St Anne’s Convent of Mercy”),&lt;br&gt;140-150 Botanic Road, Warrnambool (corner Botanic Road and Ardlie Street)</td>
<td>Yes</td>
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<td><strong>Warrnambool Breakwater, Viaduct and Harbour</strong>&lt;br&gt;Breakwater Road, Warrnambool</td>
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<td>HO20</td>
<td><strong>St Joseph's</strong> 42 Canterbury Road, Warrnambool (Corner Bromfield Street and Canterbury Road)</td>
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<td><strong>Whitehall</strong> 4 Canterbury Road, Warrnambool</td>
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<td>Yes Stable fence</td>
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<td>10 Canterbury Road, Warrnambool</td>
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<td>Yes Stables</td>
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<td>HO340</td>
<td><strong>Boughton</strong> 179 Caramut Road, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes, all mature trees with the garden and the early orchard</td>
<td>Yes, outbuildings</td>
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<td>HO359</td>
<td><strong>Lipook</strong> 6 Clancey Court, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes, two Phoenix canariensis (Canary Island Palm)</td>
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<td>77 Coulstock Street, Warrnambool</td>
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<td>HO368</td>
<td>83 Coulstock Street, Warrnambool</td>
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<td>HO28</td>
<td>3 Darling Street, Warrnambool</td>
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<td>No</td>
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<td>Yes Fence</td>
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<td>1/90 Denneys Street, Warrnambool</td>
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### Warrnambool Planning Scheme

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<td>76 Denneys Street, Warrnambool</td>
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<td>HO205</td>
<td>Former Half-way Hotel 2 Fala Park Road, Warrnambool</td>
<td>Yes</td>
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<td>HO177</td>
<td>Royal Hotel 43 Fairy Street, Warrnambool (corner Timor and Fairy Streets)</td>
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<td>Former Premier Butter Factory 57 Fairy Street, Warrnambool</td>
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<td>Otway House 69 Fairy Street, Warrnambool</td>
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<td>HO35</td>
<td>Former Russell and Powells rear 130 Fairy Street, Warrnambool</td>
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<td>Former McConnell's Stables 140 Fairy Street, Warrnambool</td>
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<td>Former Smith's Bakery 140 Fairy Street, Warrnambool</td>
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<td>Werripnong 2 Ferguson Street, Warrnambool</td>
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<td>HO333</td>
<td>12 Flaxman Street, Warrnambool</td>
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<td>Fletcher Jones Factory and Gardens, 61-81 Flaxman Street, Warrnambool</td>
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<td>HO128</td>
<td>Former City Baths, 2 Gilles Street (part), and 1 Artillery Crescent (part), Warrnambool</td>
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<td>Former Woollen Mill, Harris Street, Warrnambool. Cellars of 1909 building.</td>
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<td>Former Woollen Mill, Harris Street, Warrnambool. Surviving walls and roof trusses of former boiler house.</td>
<td>No</td>
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</table>
| HO217      | **Former Woollen Mill**  
Harris Street, Warrnambool. Surviving walls of 1869 building. | No | Yes | No | No | No | No | No | No |
| HO218      | **Former Woollen Mill**  
Harris Street, Warrnambool. Surviving walls and roof timbers of 1914c. boiler and engine house | No | Yes | No | No | No | No | No | No |
| HO219      | **Former Woollen Mill**  
Harris Street, Warrnambool. 1920c. office with sign pediment. | No | Yes | No | No | No | No | No | No |
| HO47       | **Airlie**  
19 Henna Street, Warrnambool | Yes | Yes | No | No | No | No | No | No |
| HO374      | **Granny's Grave**  
Hickford Parade, Warrnambool | Yes | No | No | No | No | No | No | No |
| HO48       | 46 Hider Street, Warrnambool | Yes | No | No | No | No | No | No | No |
| HO49       | 55-57 Hider Street, Warrnambool | Yes | No | No | Yes | No | No | No | No |
| HO50       | 30 Hopetoun Road, Warrnambool | Yes | No | No | No | No | No | No | No |
| HO355      | 46-50 Hopetoun Road, Warrnambool | Yes | No | No | No | No | No | No | No |
| HO202      | **Motang**  
250 Hopkins Point Road, Warrnambool | Yes | No | No | No | No | No | No | No |
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<td>HO53</td>
<td>18 Hyland Street, Warrnambool</td>
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<td>HO329</td>
<td>Former Agricultural High School 101 Hyland Street, Warrnambool</td>
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<td>Jamieson Street School 3-13 Jamieson Street, Warrnambool (corner Jamieson Street and Raglan Parade)</td>
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<td>30 Jamieson Street, Warrnambool</td>
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<td>Raloda (former Fletcher Jones House) 72 Jamieson Street, Warrnambool</td>
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<td>Orderly Room and residence Kepler Street and part 197-205 Timor Street, Warrnambool (fronts Kepler Street)</td>
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<td>City Band Hall 21 Kepler Street, Warrnambool</td>
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<td><strong>Warrnambool Club</strong> 94 Kepler Street, Warrnambool</td>
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<td><strong>Former Criterion Hotel</strong> 151-157 Kepler Street, Warrnambool</td>
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<tr>
<td>HO73</td>
<td>Former RCA Offices and Union Bank 56 Kepler Street, Warrnambool (corner Kepler and Koroit Streets)</td>
<td>Yes</td>
<td>Yes</td>
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<td>Pontings 112 Kepler Street, Warrnambool</td>
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<td>16 King Street, Warrnambool</td>
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<td>HO79</td>
<td>St Georges Church of England 51 Koroit Street, Warrnambool</td>
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<td>Cottage 73 Koroit Street, Warrnambool</td>
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<td>HO345</td>
<td>Ambleside 192 Koroit Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes, Cupressus sempervirens (Italian Cypress)</td>
<td>Yes, stables</td>
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<td>HO346</td>
<td>Former Reeves Cordial Factory 198 Koroit Street, Warrnambool</td>
<td>Yes</td>
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<td>223-225 Koroit Street, Warrnambool</td>
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| HO183      | **Christ Church Complex**  
224-230 Koroit Street and 64-66 Henna Street, Warrnambool | -                             | -                               | -                   | Yes                                             | Yes                                             | Yes                         | No                              | No                          |
| HO86       | **Former Thos. Naylors**  
227 Koroit Street, Warrnambool | Yes                           | No                              | No                  | No                                              | No                                              | No                          | No                              | No                          |
| HO87       | 258-260 Koroit Street, Warrnambool | Yes                           | No                              | No                  | No                                              | No                                              | No                          | No                              | No                          |
| HO91       | **Ellerslie College**  
239-241 Koroit Street, Warrnambool | -                             | -                               | -                   | Yes                                             | Yes                                             | Yes                         | No                              | No                          |
| HO93       | 1/45 Lava Street, Warrnambool | No                             | Yes                             | No                  | No                                              | No                                              | No                          | No                              | No                          |
| HO371      | **Victoria Hotel**  
90 Lava Street, Warrnambool | Yes                           | No                              | No                  | No                                              | No                                              | No                          | No                              | No                          |
| HO94       | **St Joseph’s Church**  
150-168 Lava Street, and 169 Kepler Street, Warrnambool | Yes                           | Yes                             | No                  | Yes                                             | No                                              | No                          | No                              | No                          |
| HO95       | **Former Warrnambool Steam Navigation Co. Building**  
26-32 Liebig Street, Warrnambool | Yes                           | Yes                             | No                  | No                                              | No                                              | No                          | No                              | No                          |
| HO97       | **Former Commercial Hotel**  
59 Liebig Street and 158 – 160 Timor Street, Warrnambool | Yes                           | No                              | No                  | No                                              | No                                              | No                          | No                              | No                          |
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<td>60 Liebig Street, Warrnambool</td>
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<td>Moomba Cafe and Milk Bar 71 Liebig Street, Warrnambool</td>
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<td>74.76 and 78 Liebig Street, Warrnambool</td>
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<td>HO113</td>
<td>Former T&amp;G Building 161-163 Liebig Street and 121-129 Lava Street, Warrnambool</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>165-169 Liebig Street and 102-108 Lava Street, Warrnambool</td>
<td>Yes</td>
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<td>194-196 Liebig Street, Warrnambool</td>
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<td>Murweh 203 Liebig Street, Warrnambool</td>
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<td>Yes</td>
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<td>Water tower and wall, Liebig Street storage 207 Liebig Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes Wall</td>
<td>No</td>
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<td>Former Crammond and Dickson Building 50-58 Liebig Street, Warrnambool (corner Liebig and Timor Streets)</td>
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<td>Yes</td>
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<td>Former Spring Vale Stone Dairy 2 Logans Beach Road, Warrnambool</td>
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<td>Warrnambool Lighthouse Est, Flagstaff Hill</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes Chart room quarters and closet 2 lighthouse fortification</td>
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<td>HO127</td>
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<td>Yes Goods sheds, wall, water tower, house</td>
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<td>HO348</td>
<td>Colmar</td>
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<td>Yes, three Araucaria heterophylla (Norfolk Island Pine)</td>
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<td>Within road reserve in front of 144 Mortlake Road, Warrnambool</td>
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### Warrnambool Planning Scheme

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<td>HO141</td>
<td><strong>Former Brian Boru Hotel</strong></td>
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<td><strong>Former Warrnambool Motors Car Showroom</strong></td>
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<td>Tannachy 90 Skene Street, Warrnambool  (Heritage Place is defined as the building known as 'Tannachy' and land within 4 metres of the building on the west side, land within 5 metres of the building on the northern side, all the land within the front setback and all the land within the east setback)</td>
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<td>Former Church of Christ 18 Spence Street, Warrnambool</td>
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<td>St Johns Church</td>
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<td>Yes Jubilee Hall, Middle Hall, Cottage, Parsonage, Fence</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO163</td>
<td>186, 188 and 190 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO192</td>
<td>192 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO166</td>
<td>194 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
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<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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<tr>
<td>HO167</td>
<td>196 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO168</td>
<td>198 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO169</td>
<td>Former Australasia Bank 214 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Fence</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO170</td>
<td>Shops and Residences 220-222 Timor Street, Warrnambool</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>Ref No. H228</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO174</td>
<td>Jenolan 299 Timor Street, Warrnambool</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Fence</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO178</td>
<td>Former Warrnambool Court House 193-195 Timor Street, Warrnambool (south-west corner Timor and Gilles Streets)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>Ref No. H1674</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO179</td>
<td>Former Post Office 187-191 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO180</td>
<td>Former AMP Building Part 197-205 Timor Street, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO181</td>
<td>Former National Bank 53 Kepler Street, Warrnambool</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO343</td>
<td>Waikato 18 Waikato Court, Warrnambool</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO182</td>
<td>Wollaston Bridge</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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</tr>
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<td>Prohibited uses may be permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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<tr>
<td>HO369</td>
<td>Over Merri River, Wollaston Road, Warrnambool</td>
<td></td>
<td></td>
<td></td>
<td>Ref No. H1453</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td><strong>Wollaston Homestead Complex</strong></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes, cottage</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>84 Wollaston Road, Warrnambool</td>
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<td><strong>WOODFORD</strong></td>
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<td></td>
<td></td>
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<tr>
<td>HO208</td>
<td><strong>Former Woodford Police Station and Residence</strong></td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>233 Bridge Road, Woodford</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>HO336</td>
<td><strong>Milestone</strong></td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>145 Fala Park Road, Woodford</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>HO337</td>
<td><strong>Fala Park Homestead</strong></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes, surrounding garden, mature orchard and tress, surrounding</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>153 Fala Park Road</td>
<td></td>
<td></td>
<td></td>
<td>park including all mature conifers</td>
<td></td>
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<tr>
<td></td>
<td><strong>WOODFORD</strong></td>
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<tr>
<td>HO209</td>
<td><strong>Woodford Presbyterian Church and Sunday School Hall</strong></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td>18 Mill Street, Woodford</td>
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<tr>
<td>HO378</td>
<td><strong>Masonry Arch Culvert</strong></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Plummer’s Hill Road, Woodford</td>
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<td></td>
</tr>
<tr>
<td>HO207</td>
<td><strong>Former St Mary’s Catholic Church and School</strong></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>18 Mill Street, Woodford</td>
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<tr>
<td></td>
<td>1 River Road and 13 River Road, Woodford</td>
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</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which are affected by specific requirements relating to the design and built form of new development.

Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

Buildings and works

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- 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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
</tbody>
</table>

The buildings and works must be associated with a dwelling.
Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

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.

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
Class of application | Information requirements and decision guidelines
--- | ---
- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
- The subdivision does not create a vacant lot.

**Exemption from notice and review**

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Signs**

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

LARGE LOT RESIDENTIAL AREA

1.0

Design objective

To provide for the subdivision of land into large fully serviced residential lots.

To provide for low density residential development on allotments of a size and design which conserves the existing pattern of vegetation and landscape features of the area.

2.0

Buildings and works

No permit is required for buildings and works in residential areas subdivided prior to the commencement of this Planning Scheme.

No permit is required for the construction of buildings and works, in areas shown and approved as appropriate for development, on the site analysis at the time of subdivision.

3.0

Subdivision

All lots should have a minimum subdivision size of at least 2000 square metres and minimum frontage to a road of 22 metres

A permit should not be granted for subdivision unless the land is serviced with reticulated water and sewerage.

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

- The topography of the land.
- Location of existing vegetation.
- Layout of the proposed subdivision including size and dimension of all proposed lots and public open space.
- A notated diagram showing how the subdivision relates to adjacent land uses.
- Location of areas appropriate for the construction of a dwelling and vehicle access on each lot.
- If a staged subdivision, show how the balance of the land is to be subdivided.

Before deciding on an application to use or subdivide land, the responsible authority should consider the protection and enhancement of the natural environment and character of the area including the retention of vegetation and fauna habitat, the need to plant vegetation along waterways, gullies, ridgelines and property boundaries, and the need to reduce the risk of erosion.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

LOGANS BEACH

1.0

Design objective
To set design, subdivision and development parameters:

- To ensure the proper protection and management of the whale viewing area and its environs.
- To protect the local environment and significant views.
- To provide generous separation between dwellings to enable revegetation of the landscape.
- To limit intrusion on the skyline and ridgeline.

To encourage the designation of Appropriate Building and Access Areas at the time of subdivision. To provide for a thorough permit application assessment process for buildings, particularly on the southern side of Hopkins Point Road in relation to landscape and environmental issues, by using as appropriate the Logans Beach Urban Design Guidelines (including the associated computer model).

2.0

Buildings and Works
An application to develop land for the purpose of a dwelling or any other building should meet the following requirements:

- Compliance with the Logans Beach Urban Design Guidelines.
- No buildings should be constructed within 3 metres of a side or rear boundary, 20 metres of Hopkins Point Road, or 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome;
- Any buildings constructed in the area on the south side of Logans Beach Road, including any eastern extension of the road alignment shown in Map 1 to this schedule, should be contained within a single storey height limit of 5 metres above the ground level, as existing prior to the commencement of any works;
- Where the land has been subdivided and Appropriate Building & Access Areas identified, development is to be located within the Appropriate Building Area, unless it can be shown that construction outside this area results in a preferred environmental outcome; and
- No buildings are to be constructed within the Coastal Protection Area identified in Clause 22.01-9, Logans Beach Local Policy.

3.0

Subdivision
An application to subdivide land should meet the following requirements:

- All lots in the proposed subdivision are required to have an average lot size of 10,000 square metres and minimum lot size of 6,000 square metres;
- Each lot should be capable of containing a rectangle measuring 40 metres by 60 metres;
- Appropriate Building & Access Areas are to be shown to the satisfaction of the responsible authority on the subdivision plan. Appropriate Building & Access Areas are to be located in recognition of the constraints affecting the land. Appropriate Building Areas are not to be located with 3 metres of any side or rear boundary, 20 metres of Hopkins Point Road and not within 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome. Appropriate Building and Access Areas may be
limited to the area of a proposed dwelling, outbuildings and vehicle access ways, or may affect a larger area providing flexibility for the location of a dwelling in the future, dependent upon the constraints affecting the site.

A Development Plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots. The Development Plan should:

- Include a Site Analysis which shows the topography, and the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features on the land.

- Include a Soil and Water Report if reticulated sewerage infrastructure is not available. The Soil and Water Report must demonstrate that the lot sizes proposed are capable of adequately treating and retaining all wastewater within the boundaries of the lot, in compliance with the relevant State Environment Protection Policies namely Code of Practice - Septic Tanks (EPA 1996).

- Show the proposed subdivision layout including lots, roads, public open space and other features of the subdivision in a manner which is responsive to the features identified in the Site Analysis.

- In the area affected by this Overlay on the north side of Hopkins Point Road the provision of public open space should generally be consistent with the Logans Beach Local Plan which includes the provision of public open space adjacent to the southern bank of the Hopkins River, extending south-east around the designated limit of residential development, to provide an open space link to Hopkins Point Road.

- Identify the means by which sites of conservation, heritage or archaeological significance will be managed during the construction phase of the subdivision.

- Identify Appropriate Building and Access Areas on the site and within individual lots that are suitable for the construction of dwellings or other buildings, which are not affected by potential constraints such as slope, potential for inundation, presence of remnant vegetation. Appropriate Building Areas are not to be located with 3 metres of any side or rear boundary, 20 metres of Hopkins Point Road and not within 10 metres of any other road, unless it can be shown that construction within these setbacks results in a preferred environmental outcome. Appropriate Building and Access Areas may be limited to the area of a proposed dwelling, outbuildings and vehicle access ways, or may affect a larger area providing flexibility for the location of a dwelling in the future, dependent upon the constraints affecting the site. If there are no constraints affecting the site all lots on the Development Plan should be noted as Appropriate Building Areas.

- Include a Landscaping Plan showing the location of existing vegetation to be retained and proposed vegetation.

- Show suitable road and pedestrian linkages between the site and adjacent areas. In the area affected by this Overlay located on the north side of Hopkins Point Road, the layout of the road network should be generally consistent with Option 1 or Option 2a, identified in the Logans Beach Local Plan.

- Outline arrangements for the provision and funding of physical infrastructure.

- Identify the staging of the subdivision.

Where reticulated sewerage infrastructure is not available, all lots proposed should be shown to be capable of adequately treating and retaining wastewater within the boundaries of the lot by the submission of soil percolation tests, if required by the responsible authority. The responsible authority should require the submission of soil percolation tests in an area affected this Overlay. Should the soil percolation tests not correspond with information provided in the preparation of the Development Plan, the Development Plan should be amended accordingly.

All roads which provide direct access to the site should be sealed. Should such a road be identified as Road Zone Category 1 or 2, the responsible authority will determine the standard of road construction.
The location of a proposed building within an Appropriate Building or Access Area will not make the development exempt from the requirement to obtain a planning permit, unless the land is located on the north side of Hopkins Point Road, and a planning permit is not required by any other clause of this scheme.

A permit application for a building proposed to be located in an area which is not nominated as an Appropriate Building Area must be accompanied by supporting information which shows the proposed dwelling will not cause a significant impact on the local environment. This information may address management of remnant vegetation, soil stability, drainage disposal or similar matters as considered appropriate by the responsible authority.

### Decision Guidelines

Before deciding on an application the responsible authority will consider:

- Relevant decision guidelines listed in Schedules 1 & 2 to the Environmental Significance Overlay, and Schedule 1 to the Significant Landscape Overlay, where these overlays apply to the land;
- The Logans Beach Urban Design Guidelines
- The Local Planning Policy 22.01-9 Logans Beach;
- Any policies listed in the Local Planning Policy Framework which may be applicable to the land including:
  - Coastal Areas,
  - Rare & Threatened Species,
  - Potential for Groundwater Recharge,
  - Steep Land,
  - Hilltop and Ridgeline Protection, and
  - Building Construction in Low Density Residential and Rural Living Zones.

### Exemptions

A permit is not required for:

- Repairs and maintenance of existing buildings and works.
- Erection of fences not more than 1.5 metres in height.
- Informal outdoor recreation.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

PREMIER SPEEDWAY AREA

1.0

Design objective

To discourage the development of dwellings within the vicinity of the Premier Speedway in view of the noise generated by the facility.

To discourage an increase in the number of dwellings in the vicinity of the Premier Speedway to limit the potential for conflict between potential residents and the ongoing use of Premier Speedway.

To encourage the use of noise protection measures in dwellings when constructed in the vicinity of Premier Speedway.

2.0

Buildings and works

A permit is not required to construct a building or construct or carry out works except if the buildings or works are to be used for accommodation including a dwelling.

3.0

Subdivision

Subdivision should be in association with the operation of Premier Speedway or to realign the boundary of existing lots. Subdivisions which realign boundaries with the purpose of increasing the distance of a potential dwelling site from the Speedway will be encouraged.

4.0

Decision guidelines

Before deciding on an application the responsible authority will consider, as appropriate:

- The Premier Speedway Policy.
- The comments of the Environment Protection Authority.
- The comments of the organising body of Premier Speedway.
- The amenity of the proposed development.
- The potential impact of the development upon the continued use of Premier Speedway.
- The possibility of locating the proposal at a greater distance from the Speedway facility.
- The need for sound insulating material to be used in the construction of the development.
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5

SOUTH WARRNAMBOOL PLAINS

The South Warrnambool Plains is generally a linear area set along Stanley Street, east of Ferrier Drive, encompassing properties in Edina Street and Fisher Street. The precinct has been substantially developed but remains sensitive to further development pressures including the need for appropriate design and development of those properties which abut the South Warrnambool wetlands.

1.0 Design objectives

Density

- To ensure that the density of new development reflects the existing pattern of development in the area.

Village Character

- To ensure that new development is innovative and respects the scale, height, mass, form and traditional architectural elements of surrounding buildings in the South Warrnambool Village Precinct.

Site Layout and Building Envelope

- To ensure new development addresses frontages and any adjacent public spaces, particularly wetland frontages of the Village when viewed from surrounding areas (particularly Pickering Point and Stingray Bay).
- To ensure that buildings are appropriately setback from sensitive environmental boundaries and street frontages.
- To ensure that the siting of each dwelling, including the open space on each site, reflects the existing characteristics of the Warrnambool Village Precinct.

Landscaping

- To encourage appropriate landscaping adjacent to wetland and river frontages that enhances the natural environment of the area.

Flooding

- To ensure that development does not obstruct flood flows, reduce the storage capacity of the Merri River Flood Plain or detrimentally impact on the flood ways of the Merri River and the South Warrnambool Wetlands.
- To ensure that development on low lying and flood prone land will be designed to minimise environmental impact and the risk of flood damage to adjoining and nearby neighbours.

Subdivision

- To ensure that new subdivision reflects the existing subdivision pattern in the area.

2.0 Buildings and works

A permit is required to construct a fence above 1.2 metres in height.

A permit may be granted to vary the following requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.
Density
Buildings and works are considered to meet the design objectives for density if:

- The construction of more than one dwelling on a lot is restricted to sites with a minimum frontage of 20 metres.
- Density range is limited to one dwelling per 450 square metre lot.

Village Character
Buildings and works are considered to meet the design objectives for village character if:

- Dwellings are single storey in height. Consideration will be given to: a maximum building height of two storeys or 9 metres (7 metres to wall height, or 9 metres including roof line) where the proposed dwelling is more than 40 metres from the boundary of the South Warrnambool Wetlands; or a maximum height of 7 metres (including roof line) where the proposed dwelling is within 40 metres of the boundary to the South Warrnambool Wetlands.
- Fencing height is restricted to 1.2 metres above natural ground level along street and wetland frontages.
- Outbuildings are constructed of materials that match an existing or new dwelling.
- Materials other than exposed brick, and non-reflective materials and colours, are used for the external finish of a new building.

Site Layout and Building Envelope
Buildings and works are considered to meet the design objectives for site layout and building envelope if:

- Site coverage is restricted to 35%. On lots of less than 2.0m AHD any non pervious surfaces such as driveways, paths, garage floors, steps and verandahs should be included in calculating site coverage.
- Outbuildings and garages are setback at a distance of 25 metres from the high water mark of the South Warrnambool Wetlands or Merri River unless it is demonstrated that a lesser setback results in a preferred environmental outcome.
- Buildings are setback a minimum of 6 metres from the main street frontage and 3 metres from a secondary frontage (side or rear road).
- Garages and carports are setback behind the frontage of existing or proposed dwellings.
- Overshadowing of the wetlands is avoided where practicable. Dwellings that front onto the wetlands are exempt from the setback requirements from the wetlands.

Landscaping
Buildings and works are considered to meet the design objectives for landscaping if:

- Indigenous species are used for landscaping along wetland frontages.

Flooding
Building and works are considered to meet the design objectives for flooding if:

- No filling is placed on land below 2.0 metres AHD. This requirement cannot be varied with a permit.
- On land less than 2.0m AHD, fencing is an open construction to avoid obstruction of the overland flow of flood waters.
- On lots less than 2.0 metres AHD, non pervious surfaces, including footpaths, verandahs, driveways, roads, steps, the floor of garages, and the floor of outbuildings do not exceed the existing natural surface level.
New developments and extensions to existing dwellings use stump construction of sub floor foundations.

Provision is to be made on lots less than 2.0 metres AHD for surface water to flow through the site, including under dwellings.

Any construction above natural ground level, including decks and steps should be designed to not obstruct the free flow of water under these structures.

Subdivision
An application for subdivision is considered to met the design objectives where new lots have a minimum size of 450 square metres with a minimum frontage of 20 metres.

Decision Guidelines
In addition to the decision guidelines at Clause 43.02-5, the responsible authority must consider:

- The views of the relevant floodplain manager where an application does not meet the design objectives for flooding.
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO6

THE HILLSIDE

This precinct has developed between Stephens and McDonald Streets and extends from Stanley Street through to Denman Drive and the Merri River embankment. The precinct comprises largely single detached dwellings with only a few parcels of land remaining for future development. Properties within the precinct include large dwellings on sloping blocks (some much steeper than others) which overlook the south-east section of South Warrnambool and the Merri River and South Warrnambool Wetlands.

1.0 Design objectives

Density

- To ensure that density of development is restricted on sites with a steep slope.
- To encourage new development that protects the hillside area through restrictions on site coverage.
- To ensure that new development reflects the prevailing site coverage of development in the area.

Village Character

- To ensure that new development reflects and enhances the neighbourhood character of the South Warrnambool Village Precinct, reflecting the traditional architectural elements and the predominant materials and finishes.
- To ensure that new development does not dominate the South Warrnambool landscape or skyline.

Site Layout and Building Envelope

- To ensure that new buildings are of an appropriate scale for the area and do not overdevelop a site.
- To ensure that the siting of new dwellings and the provision of open space on a site reflects the existing characteristics of the Village Precinct.
- To ensure that new development addresses street frontages and other public space areas.
- To ensure that the development responds to the natural topography of the land.

Subdivision

- To ensure that subdivision responds to the prevailing subdivision pattern of the area.

2.0 Building and works

A permit is required to construct a fence over 1.2 metres in height.

A permit may be granted to vary the following requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.

Density

Buildings and works are considered to meet the design objectives for density if:

- The construction of more than one dwelling on a lot is restricted to sites with a minimum frontage of 20 metres.
Density range is limited to one dwelling per 450 square metre lot.

**Village Character**

Buildings and works are considered to meet the design objectives for village character if:

- Dwellings are no greater than two storey in height. Consideration will be given to: a maximum building height of 9 metres (7 metres to wall height, or 9 metres including roof line) where the proposed dwelling is more than 40 metres from the boundary of the South Warrnambool Wetlands; or a maximum height of 7 metres (including roof line) where the proposed dwelling is within 40 metres of the boundary to the South Warrnambool Wetlands.

- Fencing height along street frontages is 1.2 metres or less.

- Outbuildings are constructed of materials that match the existing or new dwelling.

- Materials other than exposed brick are used for the external finish of a new building.

- New dwellings at the rear of existing dwellings are single storey.

**Site Layout and Building Envelope**

Buildings and works are considered to meet the design objectives for site layout and building envelope if:

- Site coverage is restricted to 35%.

- Garages and carports are setback behind the frontage of existing and proposed dwellings.

- The setback of the new building is in line with, or behind the setback of adjoining properties.

- The buildings are sited predominantly across the lot.

**Subdivision**

An application for subdivision is considered to met the design objectives where new lots have a minimum size of 450 square metres with a minimum frontage of 20 metres.
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7

SOUTH WARRNAMBOOL RIVER ENVIRONS

The South Warrnambool River Environs includes land to the south and south-east of the Merri River and encompasses properties along Denman Drive, Stephens Street and the rear portion of properties fronting Stanley Street. The precinct has been partially developed but remains prone to inundation from the adjoining Merri River. Any further development of properties in this area will require careful examination of the flood related issues.

1.0

Design Objectives

Density

• To ensure that the density of new development retains the existing pattern of development in the area.

• To limit development where it may detrimentally impact on the flood ways of the Merri River and the South Warrnambool Wetlands.

Village Character

• To ensure that new development is innovative and respects the scale, height, mass, form and traditional architectural elements of surrounding buildings in the South Warrnambool Village area.

Site Layout and Building Envelope

• To ensure new development addresses frontages and any adjacent public spaces, particularly wetland frontages of the Village when viewed from surrounding areas.

• To ensure that buildings are appropriate setback from sensitive environmental boundaries and street frontages.

• To ensure that the siting of each dwelling, including the open space on each site, reflects the existing characteristics of the Village area.

Landscaping

• To encourage appropriate landscaping adjacent to wetland and river frontages that enhance the natural environment of the area.

Flooding

• To limit development where it may, obstruct flood flows, reduce the storage capacity of the Merri River Flood Plain or detrimentally impact on the flood ways of the Merri River and the South Warrnambool Wetlands.

• To ensure that development on low lying and flood prone land will be designed to minimise environmental impact and the risk of flood damage to adjoining and nearby neighbours.

Subdivision

• To ensure that subdivision responds to the prevailing subdivision pattern of the area.

2.0

Buildings and works

A permit is required to construct a fence above 1.2 metres in height.
A permit may be granted to vary the following requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.

**Density**

Buildings and works are considered to meet the design objectives for density if:

- The construction of more than one dwelling on a lot is restricted to sites with a minimum frontage of 20 metres.
- Density range is limited to one dwelling per 450 square metre lot.

**Village Character**

Buildings and works are considered to meet the design objectives for village character if:

- Dwellings are no greater than two storey in height. Consideration will be given to: a maximum building height of 9 metres (7 metres to wall height, or 9 metres including roof line) where the proposed dwelling is more than 40 metres from the boundary of the South Warrnambool Wetlands; or a maximum height of 7 metres (including roof line) where the proposed dwelling is within 40 metres of the boundary to the South Warrnambool Wetlands.
- Fencing height is 1.2 metres or less along street and river frontages.
- Outbuildings are constructed of materials that match an existing or new dwelling.
- Materials other than exposed brick are used for the external finish of a new building.

**Site Layout and Building Envelope**

Buildings and works are considered to meet the design objectives for site layout if:

- Site coverage is restricted to 35%. On lots less than 2.0m AHD any non pervious surfaces such as footpaths, driveways, garage floors, steps and verandahs must be included in calculating site coverage.
- New development is setback 25 metres from the bank of the Merri River.
- New development on properties abutting is designed and orientated to address the river in addition to street frontages.
- New garages and carports are setback behind the building line of any existing or proposed dwellings which have a frontage to an existing street.
- Finished floor levels in all new development are a minimum of 2.0 metres AHD.
- Overshadowing of the river is avoided between 10.00am and 3.00pm wherever possible.
- Buildings are setback a minimum of 6 metres from the main street frontage and 3 metres from a secondary frontage (side or rear road), unless it can be shown that alternative setbacks result in a preferred environmental outcome.

**Landscaping**

Buildings and works are considered to meet the design objectives for landscaping if:

- Indigenous species are used for landscaping along river frontages.

**Flooding**

Building and works are considered to meet the design objectives for flooding if:

- No filling of land below 2.0 metres AHD is permitted. This requirement cannot be varied with a permit.
- On land less than 2.0m AHD, fencing is an open construction to avoid obstruction of the overland flow of flood waters.

- On lots less than 2.0 metres AHD non pervious surfaces, including footpaths, verandahs, driveways, roads steps, the floor of garages, and the floor of outbuildings do not exceed the existing natural surface level.

- New developments and extensions to existing dwellings will use stump construction of sub floor foundations.

- Provision is to be made on lots less than 2.0 metres AHD for surface water to flow through the site, including under dwellings.

- Any construction above natural ground level, including decks and steps should be designed to not obstruct the free flow of water under these structures.

**Subdivision**

An application for subdivision is considered to met the design objectives where new lots have a minimum size of 450 square metres with a minimum frontage of 20 metres.
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8

PERTOBE ROAD (SOUTH)

The land is located on the south east side of Pertobe Road and south of the Shipwreck Bay Caravan Park and contains all of the freehold land on the south east side of Pertobe Road. It is a significant gateway to the foreshore area. Its location is strategic in providing an opportunity for a landmark design element at the key vista to Pertobe Road and Stanley Street. The gateway zone is positioned at the entry to Breakwater Road which curves into the breakwater area parallel to a direct view corridor into the new safe harbour development.

1.0 Design Objectives

Village Character

- To ensure that the Norfolk Island Pines along Pertobe Road remain as the dominant landscape feature in the area.
- To ensure that development reduces in size away from the new hotel proposed as part of the Port Warrnambool Development.
- To ensure that development is not visible above the dunes from the beach.
- To ensure that new development includes features that enhance the appearance of the Warrnambool foreshore and environs, or contribute to the areas character or sense of identity.
- To ensure that special attention is given to the facades of buildings that are visible from the South Warrnambool Wetlands and Breakwater Road.

Site layout and Building Envelope

- To ensure that buildings are appropriately setback from sensitive environmental boundaries and street frontages.

2.0 Building and works

A permit is required to construct a fence above 1.2 metres.

A permit may be granted to vary the following requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.

An application for a permit must be accompanied by a site context plan and a site context report that demonstrate how the proposed buildings or works satisfy the relevant policies, controls and guidelines applying to the site.

Village Character

Buildings and works are considered to meet the design objectives for village character if:

- The maximum height of any development is generally limited to 12 metres. If in order to ensure that the façade of the development can be articulated to minimize visual bulk and result in an improved urban design outcome, an exception to this height limit to a maximum height of 16 metres may be permitted. The maximum height of 16 metres cannot be varied with a permit.
- New garages and carports are setback behind the building line of any existing or proposed buildings.
- Exposed brick is not used in external finishes to new buildings.
- New development addresses street frontages.
- Fencing height is 1.2 metres or less along street frontages.

**Site Layout and Building Envelope**

Buildings and works are considered to meet the design objectives for site layout and building envelope if site coverage is restricted to 60%. This requirement cannot be varied with a permit.

**Decision Guidelines**

Before deciding on an application for a permit, the responsible authority must consider, as appropriate:

- The impact of the proposed subdivision or development on the prevailing character of the Gateway area.
SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9

PERTOBE ROAD (NORTH)

This land is located on the north side of Pertobe Road, east of Stanley Street and forms part of the gateway to the Breakwater Harbour precinct. However, the existing built form is substantially less dominant due to greater setbacks and variety in materials and form of construction. Development control in this area should recognise the variety and provide for lower density and overall height for future use.

1.0

Design Objective

Village Character

- To ensure that new development is lower than the Norfolk Island Pine Trees along Pertobe Road.
- To ensure that new development addresses street frontages and public areas.
- To ensure that new development includes features that enhance the appearance of the Warrnambool foreshore and environs, or contribute to the areas character or sense of identity.

Building Envelope

- To ensure that buildings are appropriately setback from sensitive environmental boundaries and street frontages.

Landscaping

- To encourage appropriate landscaping that enhances the amenity of the area.

2.0

Building and works

A permit is required to construct a fence above 1.2 metres in height.

A permit may be granted to vary the requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.

An application for a permit must be accompanied by a site context plan and a site context report that demonstrate how the proposed buildings or works satisfy the relevant policies, controls and guidelines applying to the site.

Village Character

Buildings and works are considered to meet the design objectives for village character if:

- The maximum height of any development is less than 9.0 metres above natural ground level.
- Car parking is provided on site and garages are located behind buildings to minimise their visual impact.
- New developments address street frontages and public areas.
- Fencing height is a maximum of 1.2 metres above natural ground level along street frontages and public areas.
- Exposed brick is not used as an external finish to new buildings.

Site Layout and Building Envelope

Buildings and works are considered to meet the design objectives for site layout and building envelope if:
Site coverage is restricted to 40%.

- The minimum setback from street frontages is 4.5 metres.
- A minimum setback of 25 metres applies to any boundary that abuts the high water mark of the Merri River.

**Landscaping**

Buildings and works are considered to meet the design objectives for landscaping if:

- Indigenous species are used for landscaping along river frontages.

### Decision Guidelines

Before deciding on an application for a permit, the responsible authority must consider, as appropriate:

- The impact of the proposed subdivision or development on the prevailing character of adjoining and nearby buildings and the Gateway area.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10

STANLEY STREET (MERRI RIVER WEST)

This land is located on the south side of Stanley Street west of the Merri River and north of the South Warrnambool wetlands. This area has particular importance due to its location adjacent to the Merri River and South Warrnambool wetlands. It is also located adjacent to the Stanley Street Bridge.

This area has been identified because of its strategic function at the entrance to the South Warrnambool village.

1.0

Design Objectives

Village Character

- To ensure that new development addresses street frontages and public areas.
- To ensure that new development includes features that enhance the appearance of the Warrnambool foreshore and environs, or contribute to the area’s character or sense of identity.
- To ensure that the façade of buildings fronting roads, public reserves and the river are articulated and contain windows to provide for overlooking of these areas.

Site Layout and Building Envelope

- To ensure that buildings are appropriately setback from sensitive environmental boundaries and street frontages.

Landscaping

- To encourage appropriate landscaping that enhances the amenity of the area.

2.0

Building and works

A permit is required to construct a fence above 1.2 metres in height.

A permit may be granted to vary the following requirements, except where a specific statement is made that the requirements cannot be varied. A permit will only be granted to vary the requirements if the responsible authority is satisfied that compliance is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule.

An application for a permit must be accompanied by a site context plan and a site context report that demonstrate how the proposed buildings or works satisfy the relevant policies, controls and guidelines applying to the site.

Village Character

Buildings and works are considered to meet the design objectives for village character if:

- The maximum height of any development is 9.0 metres above natural ground level.
- Fencing along street frontages and abutting public areas is a maximum of 1.2 metres above natural ground level.
- Exposed brick is not used in external finishes to new buildings.

Site Layout and Building Envelope

Buildings and works are considered to meet the design objectives for site layout and building envelopes if:

- Site coverage is restricted to 60%.
Outbuildings are located behind buildings.

New developments address street frontages and public areas.

The minimum setback from street frontages is 4.5 metres.

A setback of 25 metres applies to any boundary that abuts the high water mark of the Merri River or wetland areas, except where an agreed management plan provides appropriate management techniques to control any impact.

Provision is made to continue pedestrian access along the eastern flank of the Merri River.

**Landscaping**

Buildings and works are considered to meet the design objectives for landscaping if:

- Indigenous species are used for landscaping along river frontages.
- Areas disturbed by works are stabilised by engineering works or revegetation.

**Decision Guidelines**

Before deciding on an application for a permit, the responsible authority must consider, as appropriate:

- The impact of the proposed subdivision or development on the prevailing character of adjoining and nearby buildings and the South Warrnambool Village area.
RODGER PLACE, BUSHFIELD

1.0 Design objective
To set subdivision parameters:

- To ensure the proper protection and management of the existing lot density, pattern and rural residential amenity of the area.
- To protect the local environment and significant views.
- To provide generous separation between dwellings to enable revegetation of the landscape.

2.0 Subdivision
An application to subdivide land should meet the following requirements:

- All lots in the proposed subdivision are required to have an average lot size of 1ha;
- Each lot should be capable of containing a rectangle measuring 40 metres by 60 metres.

3.0 Decision Guidelines
Before deciding on an application the responsible authority will consider:

- Any policies listed in the Local Planning Policy Framework which may be applicable to the land including:
  - Bushfield and Woodford;
  - Rare & Threatened Species,
  - Potential for Groundwater Recharge,
  - Steep Land,
  - Hilltop and Ridgeline Protection, and
  - Building Construction in Low Density Residential and Rural Living Zones.
SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12

CARAMUT ROAD BUSINESS PARK AREA AND ENTRANCE PRECINCT

1.0 Design objectives

- To establish and maintain a consistently high quality industry and business environment that protects and enhances the investment of those who choose to locate and work within and the amenity of those who reside near the City’s business park.

- To create an attractive park-like setting in the City’s business park focusing on ample landscaped areas complemented by high quality architecture and urban design.

- To ensure that new development is well designed and will enhance the visual and streetscape amenity of the area, particularly along roads with a residential interface.

- To ensure that new development along Caramut Road enhances the appearance and function of this road.

- To ensure that development and works are located to minimise off-site impacts to adjoining residential areas.

- To minimise the impact of commercial traffic on adjoining residential amenity and pedestrian traffic.

- To provide effective stormwater management and improve stormwater water quality as part of new development proposals by incorporating the use of Water Sensitive Urban Design treatments.

- To ensure that car parking, vehicle access and service areas do not visually impinge on front setbacks or affect streetscape elements such as trees and nature strips.

2.0 Buildings and works

Architecture

- Buildings proposed for each site should seek to achieve a high standard of design.

- Outbuildings and/or ancillary installations should be compatible with the design theme established by the primary buildings on each site.

- Plant and equipment is to be concealed or, in the case of freestanding structures, appropriately screened from view.

- Buildings should not occupy more than 50% of the site. Applications for buildings that occupy more than 50% of the site should show how matters such as car parking can be satisfactorily addressed.

- Rubbish enclosures and service areas, including areas used for storage of goods, should be screened and located to the rear of buildings. Rubbish bins, enclosures and loading docks should not be visible from a street.

External finishes and materials

- Buildings and any ancillary structures must be constructed using masonry, or other material suited to the type of building and its use. Roof material must be constructed using muted non reflective materials.

- Office buildings must be constructed primarily of masonry or similar with appropriate use of glazing.

- External walls should be painted or finished with a quality textured coating except where face brickwork is integral to the overall design and appearance of the building.
The use of galvanised iron as a dominant building material is discouraged.

Those parts of buildings having any frontage to a road should be constructed of concrete, masonry, glass or other high grade construction materials.

**Building setbacks**

- All buildings should be setback at least 10 metres from any road.

**Landscaping**

- A landscaping setback of a minimum of 6 metres must be provided along all property boundaries where the property abuts a residential property, and along all street frontages.

- The landscaping should be designed to provide appropriate screening of car parking and outdoor storage areas, enhance the amenity of the surrounding area and provide an attractive visual environment for adjoining residential properties and within the business park.

- The landscaping should be designed to contribute to the creation of an attractive business environment and should visually reduce the bulk of new development and enhance the appearance of new buildings.

- Landscaping should be designed to provide summer shade and windbreaks to areas used by pedestrians or occupied by car parking.

- The landscape design should minimise surface run-off and be practical to implement and maintain, and may be incorporated with proposed stormwater treatments.

- Where buildings are not built to side or rear property boundaries, provision should be made for a landscape screen to be established along these boundaries.

- The landscaping design should include automated watering systems to be provided to landscaped areas in the front setback and in all other landscaped areas.

- The location and choice of vegetation should incorporate native vegetation taking account of the existing landscape theme, as well as local soil conditions and prevailing weather; and the selection of species should minimise long-term watering requirements.

- The use of fast growing screening species between properties (alongside boundaries) is encouraged. However, species having a reputation for short lifespan, unstable structure or unruly habit are discouraged.

- The massed planting of single species rather than a mixture of various species should be maximised in the landscape design.

**Fencing**

- The construction of fences along the frontage to each site is discouraged. In the event that fencing is required for security purposes, it is to be designed to have a high degree of transparency and be located beyond/behind the front setback, and screened with landscape planting.

- Fence and gate design is to be integral to the design of buildings proposed for the site.

- Side and rear boundary fences are to be black plastic coated cyclone wire.

**Car Parking**

- Large areas set aside for car parking should be provided with landscape islands to allow the planting of shade trees and shrubs.

- Land uses generating regular truck movements are to provide designated truck parking areas in addition to car parking spaces and/or loading bays.

- Vehicle loading and unloading should be designed to occur totally within the site.

- Common parking areas should be considered as part of any integrated development.
Drainage

- The drainage of the land and associated buildings will be in accordance with Water Sensitive Urban Design including on-site retention methods.

External Lighting

- All premises should provide external lighting to ensure adequate site security.
- All car parking areas should be provided with suitable lighting to ensure safety and security of users after dark.
- All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.

Subdivision

- A variety of lot sizes should be provided, to cater for a range of uses complementary to the business park environment. Larger lots should be created along the Caramut Road frontage with appropriate frontages to enable a minimum of 75 metres between access points into each lot.
- Additional access points onto Coghlan Road opposite residential dwellings are discouraged. Subdivision should be designed to provide access to lots that abut Coghlan Road and Morriss Road via an internal road.

Advertising Signs

Business signage

- Business signs should be sensitive to the style, scale and type of development. Visual clutter, created by too many or inappropriate sign types, is strongly discouraged.
- Business signs should fit within architectural forms and be integrated with building design. Logo or corporate style signage is favoured.
- Freestanding low level signage within the front setback may be considered provided massed understorey planting is provided at its base.
- Where signs are intended or required to be illuminated, illumination should be concealed or integral with the sign by neon, or internally lit box or by sensitively designed spot-lighting.

Directional signage

- Each business should provide appropriate directional signage to assist with the movement of pedestrian and vehicular traffic. In general, this signage should explain:
  - site entries and exits;
  - staff and visitor car parking;
  - goods delivery and pick-up; and
  - reception/office areas.
- Directional signage should be of a consistent type and style throughout the site.

Decision guidelines

Before deciding on the application, the responsible authority must consider:

- Whether the proposed buildings and works protect the amenity of adjoining residential uses in accordance with the criteria specified in this schedule with respect to:
  - External finishes
- Building Setbacks
- Landscaping
- Fencing
- Drainage
- External lighting
- Signage

- The effect of the bulk, siting and design of any proposed buildings and works on the general appearance of the site from Caramut Road and adjoining residentially zoned land.
SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13

YOUNGER STREET (WEST)

This land is located on the north and west side of Younger Street, adjacent to the Warrnambool Golf Course. The land is located between the Merri River and the coastal dunes on undulating land that is above the designated flood level.

The development controls in this area recognise the coastal and river location and provide for high quality design, sensitive exterior finishes and colours, native landscaping and overall height controls for future development.

The preferred future character of this area - Buildings are visually integrated with their rural settling and responsive to the topography of the coastal location. Coastal vegetation indigenous to the area has been established and the built form edges of the development screened by this vegetation relate to the river and wetland interfaces. Views out from the development are retained to the river, dunes and surrounding farmland.

1.0 Design Objectives

Landscape Setting

- To minimize the visual impact of the development from key viewing locations including the Merri River and existing urban areas of Warrnambool.
- To reestablish vegetation dominated views of the area.
- To ensure that new development includes features that are sympathetic to the appearance of the coastal and river environs.
- To integrate the landscape setting of the Merri River, wetlands and other rural landscapes.
- To limit intrusion on the skyline and ridgeline.

Siting

- To integrate buildings into the river corridor and rural dune landscapes.
- To ensure that buildings are appropriately setback from sensitive environmental boundaries.
- To provide a consistent vegetation-dominated streetscape.
- To develop spacious building setting with space for planting.

Height and Building Form

- To ensure buildings and structures sit within the coastal dune landscape and vegetation setting.
- To create a low scale built form by encouraging low pitched roofs and avoiding box-like forms.

Materials and design detail

- To ensure buildings demonstrate a high standard of contemporary design and complement the coastal setting.

Streetscape

- To maintain the informal semi-rural feel of streetscapes.
- To ensure fencing is not visually prominent.

Views

- To provide for the reasonable sharing of views to the coastal dunes, river and the surrounding landscape.
To protect the local environment and significant views.

**ESD Design**

- To incorporate the use of water sensitive urban design treatments.
- To encourage good environmentally sustainable practices including maximizing solar access and rainwater harvesting.

**Landscaping**

- To re-establish the vegetated setting of the site using indigenous species.
- To encourage landscaping that is indigenous to the coastal environment, enhances the amenity of the area and responds to the river and coastal environment.

**Building and works**

A permit is required to construct a fence.

An application for a permit must be accompanied by a site context plan and a site context report that demonstrate how the proposed buildings or works satisfy the relevant policies, controls and guidelines applying to the site.

An application for a permit must be accompanied by a landscape plan that demonstrates how the proposed landscaping satisfies the landscape and landscape setting objectives applying to the site.

The Design Responses are the preferred method to satisfy the relevant objective(s). Other methods of achieving the relevant objective may be demonstrated to the satisfaction of the responsible authority.

**Design Response**

**Landscape Setting**

Buildings and works are considered to meet the design objectives for Landscape setting if:

- Existing trees are retained and new indigenous trees and other coastal vegetation is established to screen dwellings and structures.

**Siting**

Buildings and works are considered to meet the design objectives for site layout and building envelope if:

- New developments address street frontages and public areas.
- Site coverage is restricted to 50%
- A minimum setback of 5 metres from any boundary that abuts the Merri River public reserve.
- Sufficient space is provided in front of the building for landscaping including canopy trees, with a minimum setback of 6 metres from road frontages.
- Set buildings back from both side boundaries with sufficient space for landscaping.
- Car parking is provided on site and garages are located behind the front line of buildings to minimise their visual impact.

**Height and Building form**

Buildings and works are considered to meet the design objectives for Height and Building form if all of the following are met:

- Development is kept below the future mature tree canopy height and the maximum height of any development is less than 7.5 metres above natural ground level, with no more than 2 storeys above natural ground level.
• Wall heights interfacing with the Merri River corridor and adjacent rural areas are no higher than 5.0 metres and no higher than 1 storey to a depth of 5 metres.

• The visual impact of buildings is minimized and the need for cut and fill is reduced by designing buildings to follow the contours and step down the site.

**Materials and Design Detail**

Buildings and works are considered to meet the design objectives for Materials and Design Detail if:

• Simple building details are used.

• Articulate the form of buildings and elevations, particularly front facades, and include elements that lighten the building form such as balconies, glazing and light transparent balastrading.

• Use a mix of contemporary and traditional Warrnambool coastal materials, textures and finishes including timber, render, glazing, stone, brick and iron roofing.

• Where buildings are set amongst vegetation, utilize colours and finishes that complement the native vegetation of the local area, including dark, subdued natural colours and matte finishes.

• All outbuildings to be constructed using similar materials to the main building.

• Glazing and roofing materials to be of low reflectivity.

• Fencing height is a maximum of 1.2 metres above natural ground level along street frontages and public areas.

**Streetscape**

• Ensure that the area between the building and front property boundary has a mostly permeable surface and is able to support vegetation, including canopy trees.

• Front fences are discouraged, and where required should be of post and wire construction or of similar transparency.

• Where side and rear fencing is required, this should be of post and wire construction or of similar transparency.

• Screen fencing may be provided within the immediate cartilages of the building.

**Views**

• Buildings and structures should be sited and designed to take into account existing views to the coast and surrounding foothills from nearby properties.

**ESD Design**

Buildings and works are considered to meet the design objectives for ESD Design if:

• The drainage of the land and associated buildings will be in accordance with water sensitive urban design including on-site retentions methods.

• Maximise northern orientation in the development of buildings on lots.

**Landscaping**

Buildings and works are considered to meet the design objectives for landscaping if:

• Indigenous species are used for landscaping in all areas (private, public or communal land).

• An application for a new dwelling must be accompanied by a landscape plan which includes the planting of appropriate indigenous canopy trees and other vegetation around the dwelling.

• The planting is consistent with a landscape plan for the area that is submitted and approved prior to the subdivision of the land into more than two lots.
· The plan to include trees and other coastal vegetation to screen dwellings.

### Subdivision

Appropriate Building & Access Areas are to be shown to the satisfaction of the responsible authority on the subdivision plan and are to be located in recognition of the constraints affecting the land.

Appropriate Building Areas are not to be located within 5 metres of any boundary adjacent to the Merri River Public Reserve.

Appropriate Building and Access Areas may be limited to the area of a proposed dwelling, outbuildings and vehicle access ways, or may affect a larger area providing flexibility for the location of a dwelling in the future, dependent upon the constraints affecting the site.

An overall subdivision and development plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots.

Subdivision is considered to meet the design objectives if:

- Younger Street is utilized as the main access street for development.
- Permeable or connective street layout is used and cul-de-sac streets are avoided.
- Streets are designed to respect the existing topography of the site.
- Direct pedestrian access and access for people with limited mobility is provided.
- An adequate amount of useable open space is provided that connects to the existing and future networks of open space.
- Development is required to front onto the River corridor, floodway open space network and existing golf course.
- Pedestrian and bicycle connection is provided and bridge crossing over the Merri River.
- All services are provided underground.
- Streetscapes are designed to contribute through the use of plant material indigenous to the coastal environment to provide a coastal vegetation dominated landscape.
- The interface with the Merri River is planted with coastal indigenous species.
- Lots are orientated to allow development that maximizes solar access.
- An interface is provided with the golf course that minimizes negative impacts on residential areas. This could include a high black mesh fence screened with vegetation.

### Advertising Signs

Advertising sign controls are at Clause 52.05 Category 3.

### Decision Guidelines

Before deciding on an application for a permit, the responsible authority must consider, as appropriate:

- How the proposal responds to the design objectives of this Clause.
- Any policies listed in the Local Planning Policy Framework which may be applicable to the land including:
  - Hilltop and Ridgeline Protection

A permit is not required for:

- Routine repairs and maintenance of existing buildings, fences and works.
- Informal outdoor recreation.
Reference Documents

Design Guidelines for Younger Street, 2005
SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO14

PROTECTION OF OCEAN VIEWS FROM THE PUBLIC REALM: RAGLAN PARADE

1.0 Design objectives

- To ensure buildings are sited so as to not intrude on views to the ocean from Raglan Parade.
- To ensure development is designed to allow views across and between buildings to the ocean.
- To ensure landscaping is designed and sited to maintain views to the ocean from Raglan Parade.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if:

- The building or works does not exceed the preferred maximum building height as specified in Map 1 of this clause, and
- The building achieves the front and side setback requirements (ground and upper level) contained in Table 1 of this schedule.

3.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the proposed development achieves the design requirements and the outcomes to be achieved in Table 1 of this schedule.

4.0 Reference


5.0 Table 1: Design requirements

<table>
<thead>
<tr>
<th>Raglan Parade</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design requirements</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Building setback requirements</strong></td>
<td>Buildings that are sited to reflect the predominant pattern of front, side and rear setbacks in the street, having regard to the impact of views to the ocean from Raglan Parade</td>
</tr>
<tr>
<td>Provide a front building setback of at least 7 metres to Raglan Parade and the west side of Emma Avenue.</td>
<td></td>
</tr>
<tr>
<td>Development should be set back a minimum of 2 metres from both side boundaries.</td>
<td></td>
</tr>
<tr>
<td>For properties fronting Raglan Parade, the upper level of development should be recessed a minimum of 3m from the front façade of the building in order to minimise the impact of development on views to the water from Raglan Parade.</td>
<td></td>
</tr>
<tr>
<td>The upper level(s) of development should be stepped in from the ground floor in order to maintain viewing corridors between buildings.</td>
<td></td>
</tr>
<tr>
<td><strong>Building siting</strong></td>
<td>Buildings and buildings elements that do not unreasonably block views to the ocean</td>
</tr>
<tr>
<td>Give consideration to siting buildings or higher elements of buildings in the lower sections of the site so that the overall height of the building is minimised when viewed from Raglan Parade.</td>
<td></td>
</tr>
<tr>
<td><strong>Building Height and form</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Raglan Parade

<table>
<thead>
<tr>
<th>Design requirements</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development should be limited to preferred maximum buildings heights specified on Map 1 forming part of this schedule.</td>
<td>Buildings that are designed with consideration of the sharing of ocean views.</td>
</tr>
<tr>
<td>Design buildings to follow the contours and step down the site in order to minimise the overall height of the building.</td>
<td>Buildings that respond to the natural contours of the landscape.</td>
</tr>
</tbody>
</table>

**Landscaping**

| Vegetation should be sited and appropriate species selected in order to maintain existing ocean viewing corridors from adjoining properties.                                                                                 | Vegetation that is selected and sited to maintain views to the ocean.                                                                                                                                                   |

### Map 1: Raglan Parade Preferred Maximum Building Height

![Map 1: Raglan Parade Preferred Maximum Building Height](image)
SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO15

FORESHORE DESIGN CHARACTER AND VIEWSHARING: MERRI STREET EAST

1.0 Design objectives
The following design objectives apply to the precincts shown on Map 1 forming part of this schedule.

Merri Street East: All Precincts
- To ensure buildings are sited to integrate with existing streetscapes.
- To ensure buildings and structures respond positively to the coastal landscape setting.
- To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.
- To encourage buildings that visually complement the features of the surrounding environment.
- To maintain the open, informal appearance of the streetscapes.
- To provide for the reasonable sharing of views to the coast.
- To ensure buildings are sited and designed to take into account existing views to the coast from nearby properties.
- To encourage views between buildings to the surrounding landscape and coast.
- To ensure landscaping is integrated with the design of the development and complements the landscaping of the adjoining public realm.

Merri Street East: Precincts 1 and 2
- To maintain the spacious setting of the streetscapes.
- To ensure that new development respects the significance and siting of existing heritage buildings.
- To ensure buildings and extensions respect the predominant height and form of buildings in the streetscape and provide for the sharing of ocean views from surrounding areas.

Merri Street East: Precinct 3
- To maintain the urban setting of development.
- To ensure buildings and extensions respect the predominant height and form of buildings in the streetscape.

2.0 Buildings and works
A permit is not required to construct a building or construct or carry out works if:
- The building or works does not exceed a height of 5 metres above natural ground level, and
- The building achieves the front and side setback requirements contained in Table 1 of this schedule.

A permit is required to construct a front boundary fence if there is currently no front boundary fence on the property.

3.0 Decision guidelines
Before deciding on an application, the responsible authority must consider:
Whether the proposed development achieves the design requirements and the outcomes to be achieved in Table 1 of this schedule.

Reference


Table 1: Design requirements

<table>
<thead>
<tr>
<th>Merri Street East: All Precincts</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building setback requirements (all precincts)</strong></td>
<td>Buildings and vegetation that do not unreasonably block views to the coast.</td>
</tr>
<tr>
<td>The upper level(s) of development should be stepped in from the ground floor in order to maintain viewing corridors between buildings. Refer to Precincts 1, 2 and 3 sections of this table for additional setback requirements.</td>
<td></td>
</tr>
<tr>
<td><strong>Building height and form</strong></td>
<td>Buildings that respond to the natural contours of the landscape. Buildings that do not visually dominate the street or coastal environment.</td>
</tr>
<tr>
<td>Minimise the visual impact of buildings and reduce the need for cut and fill by designing buildings to follow the contours and step down the site. The upper level(s) of developments should be recessed and articulated to reduce dominance of the upper level and impacts in terms of overlooking and visual bulk. Buildings should incorporate low single pitch roof forms, low hip or gable roof forms, or limited use of high pitch roof forms.</td>
<td></td>
</tr>
<tr>
<td><strong>Materials and design detail</strong></td>
<td>High architectural quality. Buildings that respond positively to the coastal context.</td>
</tr>
<tr>
<td>Use simple building details. Articulate the form and façades of buildings through the use of different colours and materials, through the composition of openings and setbacks and through variations in wall surfaces. Use a mix of contemporary and traditional coastal materials, textures and finishes including timber, render, glazing, stone, brick, and iron roofing. Materials that weather over time with the landscape should also be considered. Utilise colours and finishes that complement the native vegetation of the local area, including dark, natural colours and matte finishes. Use glazing and roofing materials of low reflectivity.</td>
<td></td>
</tr>
<tr>
<td><strong>Streetscape</strong></td>
<td>Buildings and building elements that achieve the desired streetscape character. Buildings that are sited to reinforce the landscape character of the coastal environment. Front setbacks that support species-appropriate coastal gardens. Front boundary treatments that reinforce the sense of openness in the streetscape.</td>
</tr>
<tr>
<td>Where a front setback is required, ensure the area between the building and the front property boundary is mostly permeable and able to support vegetation, including medium-sized coastal canopy trees. Provide no front fence, or planting instead of a front fence in areas where this is a predominant feature of the streetscape. In other areas, provide an open style front fence to a preferred maximum height of 1.2 metres or fencing appropriate to the architectural style of the building. Locate garages, carport and car parking areas behind the line of the dwelling.</td>
<td></td>
</tr>
<tr>
<td><strong>Views</strong></td>
<td></td>
</tr>
</tbody>
</table>
### Merri Street East: All Precincts

<table>
<thead>
<tr>
<th>Design requirements</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings should be sited and designed so as not to intrude into major view lines from public viewing locations. Where ocean views are available along a road corridor, have regard for adjoining front setbacks so that new development does not intrude significantly into existing view lines. Vegetation should be sited and appropriate species selected in order to maintain ocean viewing corridors from adjoining properties.</td>
<td>Buildings and vegetation that do not unreasonably block views to the coast.</td>
</tr>
</tbody>
</table>

### Landscaping

<table>
<thead>
<tr>
<th>Landscaping</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping should provide visual links with the coastal reserve. Retain existing trees and provide for the planting of new vegetation, including medium-sized coastal canopy trees, wherever possible. Require all applications for new dwellings to prepare a landscape plan that includes the planting of appropriate vegetation around the dwelling.</td>
<td>Landscaping that is integrated with new buildings and links to the landscaping of the coastal environment.</td>
</tr>
</tbody>
</table>

### Merri Street East: Precinct 1

<table>
<thead>
<tr>
<th>Design requirements</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setback requirements (Precinct 1)</strong></td>
<td>Buildings that are sited to maintain a sense of spaciousness and support coastal vegetation. Development that respects established historic siting patterns.</td>
</tr>
<tr>
<td>Development should be set back from both side boundaries a minimum of 2 metres. Development should be set back from the front boundary a minimum of 5 metres. Or: For development which adjoins an existing heritage property and is located on the same street frontage, ensure development is sited to complement the front, side and rear setbacks of the buildings on the heritage property.</td>
<td>Buildings that are not visually dominant and are designed with consideration of the sharing of ocean views.</td>
</tr>
</tbody>
</table>

### Merri Street: Precinct 2

<table>
<thead>
<tr>
<th>Design requirements</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setback requirements (Precinct 2)</strong></td>
<td>Buildings that are sited to maintain a sense of spaciousness and support coastal vegetation. Buildings that are sited with consideration for the sharing of ocean views. Development that respects established historic siting patterns.</td>
</tr>
<tr>
<td>Development should be set back from both side boundaries a minimum of 2 metres, having regard to existing ocean views from properties within the Ocean and Wattle Groves Heritage Precinct. Development should be set back from the front boundary a minimum of 3.5 metres. Or: For development which adjoins an identified contributory heritage property and is located on the same street frontage, ensure development is sited to complement the front, side and rear setbacks of the buildings on the contributory property.</td>
<td></td>
</tr>
</tbody>
</table>
## Merri Street: Precinct 2

**Design requirements**

Development should be limited to a preferred maximum height of 7.5m above natural ground level (other than architectural details).

**Outcome to be achieved**

Buildings that are not visually dominant and are designed with consideration of the sharing of ocean views.

## Merri Street: Precinct 3

**Design requirements**

**Setback Requirements (Precinct 3)**

Development should be set back a minimum of 2 metres from the front boundary and 0 metres from both side boundaries.

**Outcome to be achieved**

Buildings that reinforce the existing urban form of development.

**Building height and form**

Development should be limited to a preferred maximum height of 10.5m above natural ground level (other than architectural details).

**Outcome to be achieved**

Buildings that are not highly exposed when viewed from key viewing locations.

---

### Map 1: Merri Street Precinct

![Map of Merri Street Precinct](image)
WARRNAMBOOL PLANNING SCHEME

SCHEDULE 16 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO16

WARRNAMBOOL REGIONAL AIRPORT – BUILDING HEIGHT ABOVE 7.5 METRES (RL 79.0M AHD)

1.0

Design objectives

To ensure that flight paths associated with the Warrnambool Regional Airport are protected from the encroachment of inappropriate obstacles to enable the safe and effective operation of the airport.

To ensure that all buildings and works avoid creating a hazard to aircraft in the vicinity of the Warrnambool Regional Airport in order to facilitate safe aircraft operations.

2.0

Buildings and works

A permit is not required to:

- Construct a building or construct and carry our works that are less than 7.5 metres in height.
- Alter an existing building that is 7.5 metres or more in height provided the building height is not increased.

3.0

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The approved Obstacle Limitation Surface plan for the airport.
- The location and height of the proposed development.
- The need to prevent the development of buildings or structures that could interfere with and cause a safety hazard to aircraft operations.
- The effect of the proposed development, including construction materials, on the clear flight path of aircraft.
SCHEDULE 17 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO17.

COASTAL/HOPKINS RIVER ENVIRONMENT GROWTH AREA

The Coastal Hopkins River Environmental Structure Plan May 2008 provides the strategic basis for the design and development provisions of this overlay.

1.0 Design objectives

The following design objectives apply to land within the Coastal / Hopkins River Environment Growth Area as shown on Map 1 forming part of this schedule:

Vegetation

- To re-establish the vegetated setting for the site using indigenous coastal species.

Landscape Setting

- To ensure landscaping is designed and sited to provide views to the ocean.
- To re-establish vegetation dominated views of the area.
- To maximise building and structure absorption within the landscape setting (Hopkins Point Road South).

Views

- To provide for the reasonable sharing of views to the ocean, coastal dunes, river and the surrounding landscape.
- To minimise the visual impact of development from key public viewing locations.

Siting

- To ensure buildings and structures are sited so as to minimise visual intrusion on views to the ocean.
- To ensure buildings and structures are sited to avoid steep slopes.
- To integrate buildings and works into the river corridor and rural dune landscapes.
- To minimise the visual impact of development along the ridgeline.
- To ensure buildings and structures are strategically sited so as to maximise the degree to which the development is absorbed in the landscape.

Height and building form

- To ensure development is designed to allow views across and between buildings to the ocean.
- To ensure buildings and structures sit within the coastal dune landscape and vegetation setting.

Site coverage

- To develop a spacious building setting with space for planting.
- To minimise the dominance of car parking structures and outbuildings.
- To ensure that buildings and structures are absorbed within the landscape setting. (Hopkins Point Road South).

Environmental Sustainable Design

- To encourage good environmentally sustainable practices including maximising solar access and rainwater harvesting.
To incorporate the use of Water Sensitive Urban Design principles.

**Materials and design detail**

- To ensure buildings demonstrate a high standard of contemporary design and complement the coastal setting.

**Buildings and works**

A permit is required to construct a building or carry out works, including the construction of:

- A front boundary fence that is not of post and wire construction.
- A side or rear boundary fence that is not of post and wire construction where the land adjoins the coastal reserve/public/common property open space areas (other than post and wire).
- A boundary fence that is not of post of wire construction where the land adjoins land not covered by this overlay.
- A swimming pool.
- A tennis court.

**Requirements**

**General**

- Buildings must be located within the approved building envelopes to enable the sensitive siting of buildings in the landscape.

**Vegetation**

- Provide indigenous vegetation from within the Warrnambool Plains Bioregion in clumps and clusters as opposed to formal rows.

**Landscape setting**

- Site vegetation and select appropriate species to acknowledge existing ocean viewing corridors from adjoining properties.
- Retain existing vegetation and encourage the planting of new vegetation to screen buildings and structures.
- Integrate landscaping with the design of the development and to complement the landscaping of any adjoining public realm.
- Ensure that buildings and structures are lower than the canopy height of the vegetated (or proposed vegetated) backdrop, as far as reasonably possible (Hopkins Point Road South).

**Views**

- Ensure that the height, siting and setback of development provides for the reasonable sharing of views.
- Site and design buildings and structures to:
  - Take into account existing views to the coast and river from nearby dwellings.
  - Maximise building immersion when viewed from the Logans Beach car park, the whale platform, Point Richie car park and Deakin University boat ramp.
  - Protect views from existing dwellings in Banksia Drive and Acacia Court.

**Siting**

- Minimise the visual impact of development by designing buildings and structures to step down the topography and where appropriate to be excavated into the landform.
Give consideration to siting buildings and structures in lower sections of the site so that the overall height of the development is minimised when viewed from key viewing locations.

Site buildings and structures to incorporate space for planting of substantial vegetation, including canopy trees.

Ensure buildings and works are in accordance with the Geotechnical Site Analysis (for sites with greater than 20% slope).

**Height and building form**

- Minimise the visual intrusion of development on highly visible areas.
- Encourage low scale building form with second storeys being smaller than the ground floor and recessed.
- Ensure that the siting and design of development enhances the coastal landscape character of the area.
- Keep development below the future mature tree canopy height to a maximum of 7.5 metres above natural ground level.
- Reduce building height to 5.0 metres close to the ridgeline (Hopkins Point Road North).

In addition to the above requirements, the following requirements apply to land within the Hopkins Point Road South area:

- Buildings and structures should be a maximum of 5.0 metres in height above natural.
- Locate buildings and structures to respond to the site and be substantially absorbed by the landscape.
- Locate garages, carports and outbuildings in response to the topography and the view from the street and adjoining properties.
- Ensure building forms follow the natural contour. Where possible, on sloping sites, buildings should utilise footings which allow the natural slope to be maintained.

**Site Coverage**

- Provide sufficient space in the frontage setback for canopy trees and under storey planting.
- Minimise building footprints.
- Locate garages, carports and outbuildings behind the line of the dwelling.
- Minimise areas of non-permeable surfaces.
- Site buildings and structures within the site topography to ensure that the overall height of the development is minimised when viewed from key viewing locations (Hopkins Point Road South).

**Environmental Sustainable Design**

- Adopt best practice environmentally sustainable development principles; considering solar access and utilising sustainable energy and construction techniques wherever possible.
- Ensure all dwellings are designed and orientated to ensure optimal thermal performance and to utilise natural light.
- Minimise the area of sealed surfaces and ensure that spaces between buildings are able to support vegetation.
- Incorporate Water Sensitive Urban Design techniques to improve the water quality of the catchment and maintain appropriate flows.
- Make use of building material with minimal environmental impact such as recycled materials.
Materials and design detail

- Utilise colours and finishes that best immerse the built form within the landscape. Use a mix of contemporary and traditional muted coastal materials, textures and finishes including timber, render, glazing, stone, brick and iron roofing.

- Articulate the form of buildings and elevations, particularly front facades, and include elements that lighten the building form such as balconies, glazing and light transparent balustrading.

- Where buildings and structures are set amongst vegetation (existing and proposed), utilise colours and finishes that complement the vegetation, including dark, natural colours and matte finishes.

- Use glazing and roof material of low reflectivity.

- Ensure that the form of buildings and elevations are unobtrusive and minimise the extent to which they are visible from the Logans Beach car park and the whale watching platform as far as practically possible (Hopkins Point Road South).

Application requirements

An application must be accompanied as appropriate by:

- A Landscape Plan prepared in accordance with the design requirements of this schedule and the principles established in the Coastal / Hopkins River Environment - Structure Plan.

- A Materials and Colour Schedule prepared in accordance with the design requirements of this schedule and the principles established in the Coastal / Hopkins River Environment - Structure Plan.

- A Photomontage demonstrating that proposed buildings will be immersed in the landscape when viewed from the Logans Beach car park, the whale watching platform, Point Richie car park and/or Deakin University boat ramp.

- A Geotechnical Site Analysis (for sites with greater than 20% slope), certified by a registered professional engineer, that includes a:
  - Stability Assessment Report (that identifies stability risk and addresses potential stability problems),
  - Landslide Hazard Rating Analysis, and
  - Foundation Investigation Report (i.e. a soil test report).

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 43.02, the responsible authority must consider:


- Whether the development nestles into the coastal dune landscape and vegetation setting.

- The impact of the development on views to, from and across the development site.

- The contribution the development proposal makes to the revegetation of the land.

- The measures that have been taken to incorporate Environmental Sustainable Design.

- The suitability of the materials and design detail in responding to the coastal setting.
Map 1 Coastal / Hopkins River Environment Growth Area
DEVELOPMENT PLAN OVERLAY

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

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

**Objectives**

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

**Requirement before a permit is granted**

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

**Exemption from notice and review**

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Preparation of the development plan**

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, 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.
SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1

RESIDENTIAL DEVELOPMENT PLAN

1.0 Requirements before a permit is granted

A Development Plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots.

The Development Plan will:

- Include a Site Analysis which shows the topography of the land, and the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features.
- Show the proposed subdivision layout including lots, roads, public open space and other features of the subdivision in a manner which is responsive to the features identified in the Site Analysis.
- Identify the means by which sites of conservation, heritage or archaeological significance will be managed during the construction phase of the subdivision.
- Identify Appropriate Building Areas on the site and within individual lots that are suitable for the construction of dwellings or other buildings, which are not affected by constraints such as slope, potential for inundation, or presence of remnant vegetation to the satisfaction of the responsible authority. If there are no constraints affecting the site, all lots should be notated as Appropriate Building Areas.
- Include a Landscaping Plan showing the location of existing vegetation to be retained and proposed vegetation.
- Show suitable road and pedestrian linkages between the site and adjacent areas.
- Outline arrangements for the provision and funding of physical infrastructure.
- Identify the staging of the subdivision.

2.0 Conditions and requirements for permits

All residential development must be serviced with reticulated water and sewerage.

Any constraints on subdivision or particular requirements identified in the preparation of the Development Plan should be reinforced by the placement of appropriate conditions on the permit for subdivision of the land.

All roads which provide direct access to the site must be sealed. Should such a road be identified as Road Zone Category 1 or 2 the responsible authority will determine the standard of road construction.

Retention and enhancement of remnant vegetation should be encouraged.

A permit application for a building proposed to be located in an area which is not nominated as an Appropriate Building Area must be accompanied by supporting information which shows that the proposed dwelling will not cause a significant impact on the local environment. This information may address management of remnant vegetation, soil stability, drainage disposal or similar matters as considered appropriate by the responsible authority.

No permit is required for the construction of a dwelling or associated outbuilding within an Appropriate Building Area nominated on the Development Plan.
SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2

LOW DENSITY RESIDENTIAL DEVELOPMENT PLAN

1.0

Requirement before a permit is granted

A Development Plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots. The Development Plan will:

- Include a Site Analysis which shows the topography of the land, and the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features.

- Include a Soil and Water Report if reticulated sewerage infrastructure is not available. The Soil and Water Report must demonstrate that the lot sizes proposed are capable of adequately treating and retaining all wastewater within the boundaries of the lot, in compliance with the relevant State Environment Protection Policies namely Code of Practice - Septic Tanks (EPA 1996).

- Identify the means by which sites of conservation, heritage or archaeological significance will be managed during the construction phase of the subdivision.

- Identify Appropriate Building Areas on the site and within individual lots that are suitable for the construction of dwellings or other buildings, which are not affected by constraints such as slope, potential for inundation, or presence of remnant vegetation. If there are no constraints affecting the site all lots on the Development Plan should be notated as Appropriate Building Areas.

- Include a Landscaping Plan including the location of existing vegetation to be retained and proposed vegetation.

- Show suitable road and pedestrian linkages between the site and adjacent areas.

- Outline arrangements for the provision and funding of physical infrastructure.

- Identify the staging of the subdivision.

2.0

Conditions and requirements for permits

Where possible all residential development should be serviced with reticulated water and sewer. Any constraints on subdivision or particular requirements identified in the preparation of the Development Plan should be reinforced by the placement of appropriate conditions on the permit for subdivision of the land.

Where reticulated sewerage infrastructure is not available all lots proposed must be shown to be capable of adequately treating and retaining wastewater within the boundaries of the lot by the submission of soil percolation tests, if required by the responsible authority. The responsible authority must require the submission of soil percolation tests in an area affected by an Environmental Significance Overlay. Should the soil percolation tests not correspond with information provided in the preparation of the Development Plan, the Development Plan should be amended accordingly.

All roads which provide direct access to the site must be sealed. Should such a road be identified as Road Zone Category 1 or 2 the responsible authority will determine the standard of road construction.

A permit application for a building proposed to be located in an area which is not nominated as an Appropriate Building Area must be accompanied by supporting information which shows the proposed dwelling will not cause a significant impact on the local environment. This information may address management of remnant vegetation, soil stability, drainage disposal or similar matters as considered appropriate by the responsible authority.
No permit is required for the construction of a dwelling or associated outbuilding within an Appropriate Building Area nominated on the Development Plan.
SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3

RURAL LIVING DEVELOPMENT PLAN

1.0 Requirements before a permit is granted

A Development Plan is required to be submitted and approved by the responsible authority prior to subdivision of the land into more than two lots. The Development Plan will:

- Include a Site Analysis which shows the topography, and the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features on the land, and identification of farming practices on adjacent land (if any).

- Include a Soil and Water Report if reticulated sewerage infrastructure is not available. The Soil and Water Report must demonstrate that the lot sizes proposed are capable of adequately treating and retaining all wastewater within the boundaries of the lot, in compliance with the relevant State Environment Protection Policies namely Code of Practice - Septic Tanks (EPA 1996).

- Show the proposed subdivision layout including lots, roads, public open space and other features of the subdivision in a manner which is responsive to the features identified in the Site Analysis, adjacent farming practices and requirements of the Soil and Water report.

- Identify the means by which sites of conservation, heritage or archaeological significance will be managed during the construction phase of the subdivision.

- Identify Appropriate Building Areas on the site and within individual lots that are suitable for the construction of dwellings or other buildings, which are not affected by constraints such as slope, potential for inundation, or presence of remnant vegetation. Appropriate Building Areas should not be located adjacent to neighbouring properties which are used for farming purposes. If there are no constraints affecting the site all lots on the Development Plan should be notated as Appropriate Building Areas.

- Include a Landscaping Plan including the location of existing vegetation to be retained and proposed vegetation.

- Show suitable road and pedestrian linkages between the site and adjacent areas.

- Outline arrangements for the provision and funding of physical infrastructure.

- Identify the staging of the subdivision.

2.0 Conditions and requirements for permits

Any constraints on subdivision or particular requirements identified in the preparation of the Development Plan should be reinforced by the placement of appropriate conditions on the permit for subdivision of the land.

Where reticulated sewerage infrastructure is not available all lots proposed must be shown to be capable of adequately treating and retaining wastewater within the boundaries of the lot by the submission of soil percolation tests, if required by the responsible authority. The responsible authority must require the submission of soil percolation tests in an area affected by an Environmental Significance Overlay. Should the soil percolation tests not correspond with information provided in the preparation of the Development Plan, the Development Plan should be amended accordingly.

All roads which provide direct access to the site must be sealed. Should such a road be identified as Road Zone Category 1 or 2 the responsible authority will determine the standard of road construction.
A permit application for a building proposed to be located in an area which is not nominated as an Appropriate Building Area must be accompanied by supporting information which shows the proposed dwelling will not cause a significant impact on the local environment. This information may address management of remnant vegetation, soil stability, drainage disposal or similar matters as considered appropriate by the responsible authority.

No permit is required for the construction of a dwelling or associated outbuilding within an Appropriate Building Area nominated on the Development Plan, unless a permit is required by another clause of this scheme.
SCHEDULE SIX TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6

DENNINGTON RISE DEVELOPMENT PLAN

1.0 Requirements for Development Plan

The Development Plan must be in accordance with the Dennington North Structure Plan and must:

- Include a site analysis which shows the topography of the land, and the location of any existing vegetation, drainage lines and existing buildings, available infrastructure and connection points, and any other notable features.

- Show how the proposed development plan relates to the Dennington North Structure Plan.

- Show the proposed subdivisional layout including any layout and orientation for lots, density makeup, clear hierarchy of roads, innovative public open space design and other features of the subdivision in a manner which is responsive to the features identified in the site analysis.

- Show suitable road and pedestrian linkages between the site and adjacent areas.

- Identify the staging of the development of the land.

- Include a landscape plan which identifies indicative street tree plantings and any other landscaping treatments and/or features proposed as a response to the site analysis.

- Show the means of servicing the land including reticulated sewerage, water and drainage to all land in the plan.

- Incorporate water sensitive urban design treatments into the development plan area.
SCHEDULE 7 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7

NORTH EAST WARRNAMBOOL GROWTH AREA

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- Subdivision of land to excise an existing dwelling from a lot provided no more than one (1) additional lot is created in the subdivision;
- Agriculture and any buildings and works in association with the use of the land for agricultural purposes;
- Minor building and works associated with an existing use or development.

2.0

Conditions and requirements for permits

An application for use, subdivision or to construct or carry out works (before a development plan has been approved) must be accompanied by a report demonstrating that the proposal will not prejudice the development plan requirements specified in this schedule.

3.0

Requirements for development plan

The North East Warrnambool Growth Area is divided into four Development Areas as shown in Map 1 to this schedule.

Development plans must be generally consistent with the North East Warrnambool Structure Plan 2007 and must comprise and include the following to the satisfaction of the responsible authority:

Site Analysis Report and Plan that:

- Requirements applicable to Development Areas A, B, C & D
  - In relation to existing site conditions and features includes details on the topography of the land, the location of existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and any other features.
  - Provides a proposed development layout including roads, public open space and other features of subdivision in a manner which is responsive to the identified site features and demonstrates the integration of the development with existing infrastructure within the North East area including access, open space, retailing and schooling.
  - Provides adequate and usable public open space and demonstrate the suitability and accessibility of the provided open space to form part of the open space network.
  - Identifies the means by which any sites of conservation, heritage or archaeological significance will be managed during construction and following the development.
  - Identifies designated areas within the plan area proposed as potentially suitable for medium and higher density housing types based upon accessibility to transport, open space, services and other factors, as well as potential opportunities (if applicable) for areas suitable for non-car based development.
  - Identifies designated areas to be set aside for single dwelling development only.
  - Provides for community interaction, safety and surveillance by the provision of housing to front streets and/or public open space in the development area.
- Designates a main north-south transport route along Aberline Road, Boiling Downs Road and Gateway Road. This route must align and provide for linkage to the connection to Raglan Parade (Princes Highway) at the Gateway Road intersection.

- Requirements applicable to Development Areas A, B & C
  - Provides linkage between the Merri River and the Russells Creek tributary open space corridors by demonstrating a network of pedestrian permeable access and open space networks through the development.
  - Mortlake Road, Aberline Road and Wangoom Road should be reinforced as major roads. Service roads should be provided to allow for appropriate integration of housing to streets and enhance safety.

- Requirements applicable to Development Areas B & C
  - Provides a ‘public’ linkage to the northern areas of Kings College to provide for a convenient northern access to the school, and to the proposed pedestrian linkage to Balmoral Road through the college.
  - Provision of dual purpose pedestrian and cycle paths on Aberline and Wangoom Road.

- Requirements applicable to Development Area C
  - New roads/streets intersecting Whites Road are discouraged.

An Open Space / Landscape Master Plan and accompanying documentation that:

- Requirements Applicable to Development Areas A, B, C & D
  - Identifies a preferred character or theme in relation to the proposed development area including general design treatments for streetscapes, roads and boulevards, and open space.
  - Designates by consideration of slope and accessibility, land suitable for open space provision within development areas, including prevention of direct private ownership and boundaries to watercourses.
  - Provides for detailed planting scheme including specification of species.

- Requirements Applicable to Development Areas B & C
  - Provides a direct open space linkage from the existing Russells Creek corridor south of Whites Road into the development areas.
  - Identifies landscape treatments to ensure urban development does not adversely impact surrounding rural uses.

- Requirements Applicable to Development Areas C & D
  - Provides a visual and environmental buffer to continued agricultural land use to the east of Aberline Road.

An Environmental Report that:

- Requirements applicable to Development Areas A, B, C & D
  - Identifies the approach to water sensitive urban design in relation to drainage, road and allotment layout design. A theme should be applied to the entire development and should be based upon best practice provisions of water quality and turbidity, coupled with achieving relatively efficient maintenance provisions.
  - Provides information on the biodiversity of the riparian corridor of any watercourses or existing and proposed open space corridors in the development area.
- Identifies the opportunities for incorporation of ‘Third Pipe’ stormwater collection including demonstration of consultation with Wannon Region Water Authority or its subsequent equivalent authority.

- Requirements Applicable to Development Areas A, B and C
  - Identifies areas of significance along the Merri River corridor and Russells Creek and tributary and identifies design guidelines for lots within significant sections of the corridors to guide building height, roof materials and colours and siting of dwellings.

An Infrastructure Report that:

- Requirements Applicable to Development Areas A, B, C & D
  - Integrates drainage as a part of high quality open space nodes and linear linkages. Where possible integrate stormwater management systems such as Bio filter wetlands as a part of high quality open space network.
  - Provides an open space area in each plan that responds to the balance between open space usability and functionality, and the objectives of floodplain management.
  - Provides a staging plan for development of the land in relation to efficient infrastructure provision through stages.
  - Provides for the provision and funding of physical infrastructure (unless included in any approved Development Contribution Plan or scheme for the area, outline arrangements for the provision and funding of physical infrastructure).
  - Provides a timing schedule of public and infrastructure works, and staging of development for the development area.

- A Review period that identifies measures for the removal of the Development Plan Overlay from the land once the implementation of the development has been completed (requirement applicable to Development Areas A, B, C & D).

Map 1 to the Schedule to Clause 3.0

[Map of Development Areas A, B, C, D]
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

1.0

Overlay strategic basis

The North Dennington Structure Plan 2014, provides the strategic basis for the design and development provisions of this overlay.

2.0

Requirement before a permit is granted

The responsible authority may grant a permit for subdivision, use or development prior to the approval of a development plan only, if in the opinion of the responsible authority, the grant of the permit achieves the objectives of the North Dennington Structure Plan and the proposal satisfies the criteria set out in Chapter 10 of the North Dennington Structure Plan.

3.0

Conditions and requirements for permits

Any application for subdivision must be accompanied by a Traffic Study that reviews road infrastructure requirements and road management requirements unless this requirement has been met to the satisfaction of the responsible authority at the development plan stage.

Any application for subdivision must be accompanied by a Servicing Report that reviews available services and drainage and identifies any interim or ultimate servicing and drainage requirements to service the subdivision, use or development unless this requirement has been met to the satisfaction of the responsible authority at the development plan stage.

Any permit granted must include conditions relating to road infrastructure upgrades and traffic management measures required by the Traffic Study to the satisfaction of the responsible authority.

Any permit granted must include conditions relating to servicing upgrades required by the Servicing Report to the satisfaction of the responsible authority.

Any permit granted must include conditions required to give effect to the development plan.

4.0

Requirements for development plan

Development Plan Objectives

A development plan must be generally in accordance with the North Dennington Structure Plan. A development plan must address the following objectives:

Overall Objectives

To implement the vision depicted in the North Dennington Structure Plan to establish a residential community providing for diverse housing densities and lifestyle opportunities, with high quality urban design outcomes that reflect the environmental assets and landscape attributes of the location abutting the Merri River, with specific reference to the following plan elements:

- Land use and density
- Movement and access
- Open Space and natural environment
- Built environment and heritage
- Services, utilities and staging.

To implement the layout, design and density objectives of the North Dennington Structure Plan.

Land Use and Density Objectives

To provide for land uses and housing densities that:
- Provides diversity in lot sizes and housing styles that responds to site context, landscape, topography and view lines,
- Focuses smaller lots capable of future subdivision/development in areas designated as appropriate in the North Dennington Structure Plan.
- Achieves an overall density of 12 lots per net developable hectare across the structure plan area.
- Incorporates a high amenity character through use of diverse streetscape cross-sections and treatments to provide a context for diverse and higher density housing outcomes in appropriate locations as identified in the North Dennington Structure Plan.
- Incorporates sensitive design of lots and siting of housing to preserve opportunities for infill subdivision/development to occur over time.
- Identifies measures to sensitively address areas of significant slope.
- Incorporates an identifiable and accessible community hub on Coghlan’s Road, incorporating a community centre and the St Johns Primary School.
- Identifies opportunities for potential shared use of community facilities.
- Identifies any other locations of proposed non-residential uses.

**Movement and Access Objectives**
To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:
- Responds to the topography and existing road reserves (internal and external to the development plan area).
- Establishes a modified grid-based local road network with a high level of streetscape diversity, including a variety of street cross-sections.
- Establishes connections between neighbourhoods within the North Dennington Structure Plan area, and to existing, surrounding neighbourhoods where relevant.
- Incorporates a positive landscape character in key locations through use of boulevard treatments and high quality street tree planting.
- Provides an accessible public transport route along Coghlan’s Road, Station Street, Shannon Road and Harrington Road and a linked pedestrian and cycle network (on and off road).
- Provides for a local edge road treatment to the Merri River floodplain corridor, and local road connections between the river edge loop road and the existing road network.

**Open Space and Natural Environment Objectives**
To provide an open space network that:
- Focuses on and enhances the Merri River floodplain corridor.
- Is visually and physically connected to surrounding land uses through use of edge road treatments and active frontages.
- Accommodates a range of functions, including drainage, active and passive recreation, walking/cycling trails and preserves key site features.
- Reinforces the role of streets by establishing small green spaces within the local street network. This could include small parks, widened nature strips and central medians to provide points of difference and to create neighbourhood character.
- Identifies land within the Merri River floodplain corridor suitable for passive recreation purposes, access/parking node locations and for drainage and conservation purposes, having regard for the 30 metre biodiversity corridor along the river.
**Community Facilities Objectives**

To provide a centralised activity and community centre that:

- Provides a local focus for the community.
- Identifies opportunities for shared use of land for community facilities, including the primary school and any required Council operated facilities.
- Is accessible via public transport with convenient access to a bus stop.
- Takes a ‘street-based’ form with a design that enhances visual interaction between the street and the land uses and accommodates on-street parking.
- Provides opportunities for diverse housing options including higher density housing and mixed-use activities.
- Incorporates buildings and uses of a scale sympathetic to the surrounding residential context.

**Built Environment and Heritage Objectives**

To provide development that:

- Draws upon the local character, history and natural environmental features.
- Responds sensitively and appropriately to aboriginal cultural heritage sites and features.

**Utilities and Drainage Objectives**

To provide physical services and infrastructure that:

- Meets the needs of the future community and the development.
- Is provided in accordance with the North Dennington Development Contributions Plan.
- Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.
- Incorporates a Water Sensitive Urban Design approach to stormwater management to protect the water quality of the Merri River.

**Development Plan Components**

A development plan must include the following items to the satisfaction of the responsible authority:

- A consolidated site analysis plan that depicts all relevant site analysis and technical background report information.
- A design response that is
  - based on the results of the site analysis process; and
  - generally in accordance with the objectives and any other requirements of the North Dennington Structure Plan.
- A written report and plans addressing the objectives described in this schedule and in the North Dennington Structure Plan.
- A Development Sequencing Plan that identifies the likely sequence of development, the staging and provision of infrastructure, drainage, roads and other key facilities and evidence that reticulated water supply and sewerage services can be provided to the land in a timely and efficient manner.
- A proposed Infrastructure Delivery Plan that outlines any projects in the North Dennington Development Contributions Plan that are proposed to be delivered as ‘works in kind’. The Infrastructure Delivery Plan must identify proposed responsibility, staging and timing of works.
- An overall land budget that calculates the area for each category of land use shown on the plan. The overall land budget must specifically identify land that will be set aside for infrastructure and open space in accordance with the North Dennington Development Contributions Plan.

**Staging of Development Plan**

With the consent of the responsible authority, a development plan may be prepared in stages generally as identified in the staging plan contained within Part 9.6 of the *North Dennington Structure Plan*. 
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**

DENNINGTON NEIGHBOURHOOD ACTIVITY CENTRE – RETAIL PRECINCT

1.0 Requirement before a permit is granted

The responsible authority can consider an application to subdivide land into no more than two (2) lots and also title reconfiguration, and to construct or carry out minor works including site preparation works and related activities before a development plan has been approved.

An alteration or extension to an existing dwelling is exempt from the requirement to prepare a development plan.

2.0 Conditions and requirements for permits

All proposals to subdivide land, title reconfiguration, and to construct or carry out minor works (including site preparation works) before a development plan has been prepared must be accompanied with a report demonstrating that they will not prejudice the long term future use of the land as envisaged in the ‘Dennington Neighbourhood Activity Centre Structure Plan - Hansen, November 2009.

3.0 Requirements for development plan

The development plan must be generally in accordance with the ‘Dennington Neighbourhood Activity Centre Structure Plan - Hansen, November 2009’ (Structure Plan) and include:

- **Built Form Design Guidelines** that:
  - Provide a building form that is of a low scale and unobtrusive to maintain view lines from surrounding elevated topography (no more than one storey in height or 6 metres in elevation). Two storey development is acceptable fronting Lindsay Street and the Princes Highway to encourage multiple land uses over different storeys.
  - Ensure buildings are designed to front external and internal streets, provide active frontages and well concealed service areas.
  - Ensure new development close to corners is positioned to the lot boundary and should clearly demarcate and address internal and external intersections.
  - Avoid large expanses of flat roofs.
  - Ensure that plant fittings on rooftops are appropriately screened when viewed from elevated positions.
  - Provide for a material palette that displays a variety of finishes that respond to the natural environment in texture and colour.
  - Avoid the use of large expanses of brightly coloured rendered walls.

- **A Signage Plan** that:
  - Provides for signage that is respectful to the neighborhood setting with low scale integrated design preferred.
  - Avoids highway illuminated signage.

- **A Traffic Management and Car Parking plan** that:
  - Provides for an internal street connection in an east-west alignment with the drainage easement to facilitate traffic and pedestrian movement between Russell and Lindsay Streets.
- Provides a north-south pedestrian plaza link between retail development in the centre. The plaza should contain street furniture, public notice boards, lighting and high quality landscaping.

- Indicates the number, location, dimensions and layout of all car parks and access-ways to and from the car parking areas.

- Indicates specified car parking rates for all uses, including visitor car parking to the satisfaction of the responsible authority.

- Indicates the location and dimension of all bicycle, vehicle and pedestrian access ways and how these connect to the remainder of the retail precinct and the wider Activity Centre.

- Includes traffic management and traffic control works considered necessary in adjoining and nearby roads when the development is completed.

- Indicates the means of pedestrian and vehicle ingress to and egress from the land.

- A Landscaping Plan that:

  - Includes details on furniture, lighting and the location, quantity and size at maturity of all proposed plants, the botanical names of the plants, the location of all areas to be covered by lawn or other surface materials and provides a specification of works to be undertaken prior to planting.

The development plan may be prepared and implemented in stages.
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

NORTH OF THE MERRI RIVER DEVELOPMENT PLAN

1.0 Requirement before a permit is granted

The Responsible Authority may grant a permit for subdivision, use or development prior to the approval of a Development Plan only where it is satisfied that the proposed subdivision, use or development is generally consistent with the provisions of the North of the Merri River Structure Plan and will not prejudice the future development of the area as intended by the North of the Merri River Structure Plan.

2.0 Objectives of the development plan

A development plan must be generally in accordance with the North of the Merri River Structure Plan and must address the following objectives:

Overall Objectives

To implement the vision depicted in the North of the Merri River Structure Plan to establish a well-connected and well serviced community that demonstrates a positive sense of place, with specific reference to the following plan elements:

- Movement network
- Open space
- Activity centre and community facilities
- Neighbourhoods and density
- Utilities and drainage.

To implement the layout, design and density objectives of the North of the Merri River Structure Plan.

Movement Network Objectives

To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:

- Responds to the topography and existing road reserves (internal and external to the Development Plan area).
- Establishes a modified grid-based local road network with a high level of streetscape diversity, including a variety of street cross-sections.
- Establishes connections between neighbourhoods within the North of the Merri Structure Plan area, and to existing, surrounding neighbourhoods where relevant.
- Incorporates a positive landscape character in key locations through use of boulevard treatments and high quality street tree planting.
- Provides an accessible public transport route along Wollaston Road and a linked pedestrian and cycle network (on and off road).

Open Space Objectives

To provide an interlinked open space network that:

- Focuses on the Merri River floodplain and key site features (ridgelines, existing vegetation, heritage features) to create a ‘green loop’ of open space connected by boulevard roads throughout the structure plan area.
Is visually and physically connected to surrounding land uses through use of edge road treatments or active frontages.

Accommodates a range of functions, including drainage, active and passive recreation, walking/cycling trails and preserves key site features.

Locates local open space to form the heart of neighbourhoods.

Provides a high amenity setting for diverse housing outcomes, including current and future medium density housing.

Establishes a distinct character for each open space that reflects the context and intended function of the space and provides for an area of usable open space.

Reinforces the role of streets by establishing small green spaces within the local street network, including small parks, widened nature strips and central medians to provide points of difference and to create neighbourhood character.

Identifies land within the floodplain suitable for active and passive recreation purposes and for drainage and conservation purposes, having regard for the 30m biodiversity corridor along the river.

**Activity Centre and Community Facilities Objectives**

To provide a centralised activity and community centre that:

- Provides a local focus for the community, incorporating retail at a local Convenience Centre scale.
- Locates community facilities, including the primary school and local and active open space, adjacent to or nearby the retail/service centre.
- Identifies opportunities for shared use of land for community facilities, including the primary school and any required Council operated facilities.
- Is accessible via public transport with convenient access to a bus stop.
- Takes a ‘street-based’ form with a design that enhances visual interaction between the street and the land uses and accommodates on-street parking.
- Provides adequate parking for retail and other commercial uses in a location that does not feature prominently from key locations, such as Wollaston Road.
- Provides opportunities for diverse housing options including higher density housing and mixed use activities surrounding the centre, including service businesses and home offices.
- Incorporates buildings and uses of a scale sympathetic to the surrounding residential context.

**Neighbourhoods and Density Objectives**

To provide a series of internal neighbourhoods that:

- Are diverse in landscape, streetscape and built form character, each with a neighbourhood ‘core’ consisting of a feature (such as open space, a streetscape feature, local activity centre etc).
- Are clearly defined by streetscape features and land uses, yet are connected through use of local streets and the ‘green loop’ of open space and boulevard connectors.
- Provide diversity in lot sizes and housing styles, with smaller lots in key, high amenity locations around open space and the local activity centre and larger lots in appropriate locations such as on steep slopes.
- Achieve an overall density of 12 lots per net developable ha across the structure plan area.
- Incorporates a high amenity character through use of diverse streetscape cross-sections and distinct open space to provide a context for diverse and higher density housing outcomes.
- Incorporates sensitive design of lots and siting of housing to preserve opportunities for infill subdivision/development to occur over time.
- Provides an appropriate housing and fencing interface to adjoining rural land, and vehicle and pedestrian connections to adjoining residential land.

Utilities and Drainage Objectives
To provide physical services and infrastructure that:
- Meet the needs of the future community and the development.
- Is provided in accordance with the North of the Merri River Development Contributions Plan.
- Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.
- Incorporates a Water Sensitive Urban Design approach to stormwater management to protect the water quality of the Merri River.

Requirements for the development plan

Development Plan Precinct
A development plan should be prepared for a group of landholdings generally in accordance with the development plan precincts identified in the North of the Merri River Structure Plan. Variations to the development plan precincts must be to the satisfaction of the responsible authority.

Site Analysis
A development plan must include a detailed site analysis and design response that includes the following items to the satisfaction of the responsible authority:
- An environmental assessment of the flora, fauna and habitat significance of the land which includes recommended actions for management, revegetation and restoration of any identified conservation and vegetation protection areas where relevant. The assessment must also make recommendations with regard to management of noxious weeds as identified by the Catchment and Land Protection Act 1994. The assessment should be guided by the broader environmental assessment and recommendations completed as part of the North of the Merri River Structure Plan.
- An arboriculture assessment of all existing trees on the land which provides a description of the condition, health and integrity of all trees. The assessment must include recommendations for the long term preservation of tree(s) having regard to proposed open space or development in the neighbourhood context. The arboriculture assessment must include a plan showing the location of all vegetation nominated for removal and retention and surveyed locations of the trunk, canopy and tree protection zone of all vegetation nominated for retention.
- An archaeological survey and heritage assessment which includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites. The assessment must also identify areas where a Cultural Heritage Management Plan is required by the Aboriginal Heritage Act 2006. The assessment should be guided by the broader archaeological and heritage assessment and recommendations completed as part of the North of the Merri River Structure Plan.
- A landscape assessment that defines any important landscape views or vistas and any landscape features.
- An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.
A consolidated site analysis plan in digital and hard copy format that depicts all relevant site analysis information.

**Design Response**

The development plan must comprise:

- A design response that is based on the results of the site analysis process, and is generally consistent with the objectives and requirements of the *North of the Merri River Structure Plan*.
- A written report and plans addressing the objectives described in this schedule.
- The written report and plans must include (where relevant):
  
  **Movement Network**

  - Street layout plan that details all aspects of the movement network, including streets, intersection treatments, traffic management devices, public transport routes and pedestrian/cycle paths.
  - Typical cross-sections for all streets.
  - A road hierarchy plan.
  - A road traffic safety plan that assigns a traffic volume range to each road and identifies measures to ensure roads do not exceed the traffic volume range commensurate with their position in the road hierarchy.

  **Open Space**

  - An open space plan identifying encumbered open space, passive open space, land suitable for active open space, and any additional open space required to perform a streetscape function or to link open space areas.
  - A landscape masterplan that identifies a preferred character/theme for each open space area and a street tree theme for streets and boulevards, including nomination of suitable species.
  - A landscape masterplan for the floodplain or part thereof that clearly defines land within the floodplain suitable for active, passive and conservation functions, with a distinct landscape design for each.
  - A plan detailing any vegetation to be preserved on site, vegetation to be removed and any revegetation works required in accordance with the recommendations of the flora and fauna assessment.
  - Details of fencing treatments proposed for land abutting open space, including land abutting the floodplain.

  **Activity centres and community facilities**

  - An activity centre plan indicatively identifying the design of the centre, the location and scale of uses, location of bus stops and parking areas and the relationship between the activity centre and the open space, primary school and any community facilities required by the responsible authority.

  **Neighbourhoods and Density**

  - An indicative lot layout plan that identifies areas appropriate for medium density housing, areas that are suitable for potential change over time (potential re-subdivision) and areas appropriate for mixed uses.
Utilities and Drainage

- A Development Sequencing plan that identifies the likely sequence of development, the staging and provision of infrastructure, drainage, roads and other key facilities and evidence that reticulated water supply and sewerage services can be provided to the land in a timely and efficient manner.

- An overall land budget that calculates the area for each category of land use shown on the plan. The land budget must specifically identify land that will be set aside for infrastructure and open space in accordance with the *North of the Merri River Development Contributions Plan*.

4.0 Decision guidelines

In considering whether to approve a development plan, the responsible authority must consider objectives and requirements of the *North of the Merri River Structure Plan, 2010*. 
SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11.

HORNE ROAD INDUSTRIAL AREA DEVELOPMENT PLAN

1.0 Requirement before a permit is granted

The responsible authority may grant a permit for subdivision, use or development prior to the approval of a development plan only where it is satisfied that the proposed subdivision, use or development addresses the Objectives and Design Response provisions of this schedule.

2.0 Conditions and requirements for permits

Any application for subdivision, use or development before a development plan has been prepared must be accompanied by a Traffic Study that reviews road infrastructure requirements and management requirements.

Any permit granted must include conditions relating to road infrastructure upgrades and traffic management measures considered to be required as a response to the Traffic Study and as determined by the responsible authority.

Any application for use or development must include a report assessing the proposal against the provisions of the development plan and the building and site design guidelines.

Any permit granted must include conditions requiring the preparation, approval and satisfactory implementation of site landscaping plans.

Any permit granted must include a condition requiring the preparation, approval and satisfactory implementation of a construction management plan.

3.0 Requirements for development plan

Objectives

A development plan must address the following objectives

- To provide for a holistically planned industrial hub that incorporates a high level of accessibility, appropriate services and high quality urban design.
- To ensure the structure of the Horne Road Industrial Area fits within a broader land-use plan for the Horne Road corridor as indicatively shown in the Warraambool Industrial Land Use Review, 2010 and provides flexibility for connections with adjoining land.
- To ensure that new development is well designed and will enhance the visual and streetscape amenity of the area, particularly along Horne Road, Rodgers Road and Dales Road.
- To encourage high standards of urban design and landscaping within new development and along Horne Road, Rodgers Road and Dales Road.
- To ensure that land uses within the Horne Road Industrial Area are compatible with each other and do not unreasonably impact on the amenity of adjoining land uses.
- To ensure appropriate road and drainage infrastructure is provided to service the land for the purposes of an industrial hub.
- To minimise industrial traffic impacts on unconstructed roads and residential areas.
- To provide a high quality, landscaped buffer between industrial uses and the adjoining Rural Living Zone to the east.
- To provide effective stormwater management and improve stormwater quality as part of new development proposals by incorporating the use of Water Sensitive Urban Design treatments.
To mitigate the potentially divisive influence of Horne Road by avoiding use of service roads and by minimising front setbacks of buildings to Horne Road.

To minimise the visual impact of car parking when viewed from Horne Road.

To encourage use of varied building materials and finishes that respond to the preferred character within Warrnambool, including use of glazing, masonry and colour bond.

To provide opportunities for suitable linkages between highways, major roads and urban areas including footpath, bicycle lane and share path networks.

**Site Analysis**

A development plan must include a detailed site analysis and design response that includes the following items to the satisfaction of the responsible authority:

- An environmental assessment of the flora, fauna and habitat significance of the land which includes recommended actions for management, revegetation and restoration of conservation and vegetation protection areas where relevant.

- An archaeological survey and heritage assessment which includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites.

- A land capability assessment that identifies the geotechnical conditions of the land and makes recommendations regarding the suitability of the land to be developed for industrial purposes and any other management recommendations considered appropriate.

- A drainage analysis identifying the existing drainage conditions and recommendations for interim and ultimate drainage solutions to ensure the site can be adequately drained.

- A traffic study that identifies existing and proposed road conditions and makes recommendations regarding required road infrastructure improvements to service the industrial hub. The traffic study must specify a breakdown by landholding of projected share of usage of required road infrastructure improvements.

**Design Response**

The development plan must comprise:

- A design response that is based on the results of the site analysis process and is generally consistent with the indicative Horne Road Framework Plan shown in the *Warrnambool Industrial Land Use Review*, 2010.

- A written report and plans addressing the objectives described in this schedule.

The written report and plans must include:

- Provision for a street network providing a high degree of internal and external connectivity and permeability. The road network should have regard for potential future subdivision of adjoining land and the protection of the Rural Living Zone from heavy vehicle traffic.

- Details of proposed lots sizes and the type of uses proposed.

- An overall subdivision design which responds appropriately to the interface with the adjacent low-density residential land including through design guidelines which require the locating of development with a stronger built form presence or uses with a potential for off-site amenity impacts towards the Horne Road frontage. Larger lots and uses should generally be located along the Horne Road frontage. Smaller lots and uses that have fewer off-site amenity impacts should be located at the interface with the adjacent Rural Living Zone facing onto an edge road to the open space link/buffer.

- Indicative cross-section for all streets, including Rodgers Road, Dales Road and Horne Road.
- Details of the proposed Horne Road, Rodgers Road, Dales Road development interface, including provision for high quality built form, active frontage, a consistent, minimal setback, minimal car parking within front setback and high quality landscaping treatments.

- Provision of a continuous unbroken open space link/buffer along the eastern boundary and part of the northern boundary of a minimum width of 50 metres. It must extend westerly along Rodgers Road for 180 metres. It must include provision of an edge road condition to the open space link/buffer. The, design, alignment and landscaping of this open space link/buffer must take in to account the scale of the planned land uses and the proposed built form interface and respond to the site conditions (including topography, vegetation, view lines) and its intended function (primarily as a buffer to adjoining Rural Living Zone, and secondary use as a pedestrian/cycle link). If an edge road treatment is applied, the width of the edge road reserve will be considered as part of the buffer. The design of the open space link/buffer must also be informed by an acoustic assessment. It should include consideration of the provision of landscaped mounds at interfaces with sensitive uses along the buffer to reduce the visibility of industrial development.

- A stormwater management plan for the whole of the land, which provides for interim and ultimate drainage solutions. The plan must utilise Water Sensitive Urban Design principles where appropriate and ensure that water discharged from the site does not detrimentally affect the water quality of local streams and wetlands. It must also identify opportunities for incorporation of roof water harvesting including demonstration of consultation with Wannon Region Water Authority or its subsequent equivalent authority. It must take into account the desirability of locating any drainage retention facility alongside the proposed open space buffer.

- A landscape master plan for the whole of the land that identifies a preferred character or theme for the Horne Road corridor, Rodgers Road and Dales Road and details proposed street tree species and open space treatments, including a high quality landscape design for Horne Road, Rodgers Road and Dales Road.

- A traffic management plan that identifies measures to ensure industrial traffic is directed toward constructed parts of the road network and does not unreasonably impact on existing residential areas. The traffic management plan must show deliberate measures to prevent industrial traffic from heading east along Rodgers Road and Dales Road and accessing the industrial area via Staffords Road.

- Provision of infrastructure services to the site including water supply, sewerage and electricity.

- Details of proposed internal and external works required to service the development, including road and drainage infrastructure.

- Details of any land required to be set aside for road, utility and drainage infrastructure to service the development including a strip of land along Horne Road to be set aside as a road reserve for the Horne Road ultimate cross-section.

Requirements in the form of building and site design guidelines relating to the following:

- Building setbacks.
- Building height.
- Maximum site coverage.
- Building envelopes.
- Outdoor storage areas
- Building materials and finishes.
- Variation in lot sizes, width and depth in key locations.
- The relationship between buildings and pedestrian spaces.
- Parking provision and configuration.
- Landscaping and fencing in accordance with the performance standards in Clause 22.03-1.
- Methods for protection of native vegetation - including an explanation of how the design guidelines are to be implemented.

**4.0**  
17/05/2012  
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**Decision guidelines**

In considering whether to approve a development plan, the responsible authority must consider the recommendations and indicative Horne Road Framework Plan contained in the *Warrnambool Industrial Land Use Review*, 2010.

**5.0**  
17/05/2012  
C72

**References**

SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12.

SOUTH SIDE OF HOPKINS POINT ROAD

The Coastal Hopkins River Environmental Structure Plan May 2008 provides the strategic basis for the design and development provisions of this overlay.

1.0 Requirement before a permit is granted

A permit may be granted for the use, development or subdivision of land prior to the approval of a development plan provided the responsible authority is satisfied that the granting of a permit will not prejudice the future development of the area as intended by the Coastal/Hopkins River Environment Structure Plan May 2008 and the objectives and design response provisions of this schedule.

2.0 Requirements for development plan

A development plan must be generally in accordance with the Coastal / Hopkins River Outline Development Plan in Clause 21.05 and the Coastal/Hopkins River Environment Structure Plan (2008) and must address the following objectives:

Overall objectives

To implement the vision of the Coastal/Hopkins River Environment Structure Plan May 2008 to create a quality residential environment that responds to local characteristics and context, and provides a range of living opportunities through a diversity of residential densities situated in a variety of landscape settings, with specific reference to the following plan elements:

- Subdivision and building envelopes.
- Movement network.
- Open space and landscape.
- Service provision and drainage.

To implement the layout, design and density objectives of the Coastal/Hopkins River Outline Development Plan in Clause 21.05.

Subdivision and building envelope objectives

To ensure a comprehensive development approach that:

- Clusters allotments along contours to ensure future buildings and structures can be nestled within the landscape setting.
- Ensures future buildings and structures can be sited to incorporate space for the planting of substantial vegetation.
- Returns the coastal reserve to public ownership.
- Locates roads to minimise the extent of cut and/or fill that is visible from areas outside the site.
- Has wide nature strips to allow planting that dominate the roadside setting.
- Incorporates the use of Water Sensitive Urban Design principles.

Movement network objectives

To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:

- Responds to the topography.
Establishes a permeable street network which allows for safe and convenient pedestrian, bicycle and vehicle movement.

Enhances pedestrian and bicycle links between public open spaces within and beyond the development plan area and between existing and future residential development in the Coastal / Hopkins River Environment area.

Ensures that development is designed to be integrated with existing public transport systems.

Manages the impacts of residential development on the existing road network.

**Open space and landscape objectives**

To provide a landscape setting that:

- Uses native coastal species for revegetation on common property areas, nature strips and public open space.
- Undertakes extensive site revegetation with native coastal species.
- Provides pedestrian/cycle links to Logans Beach Road.
- Manages and limits access to the beach to avoid erosion of the coastal dunes.

**Service provision and drainage objectives**

To provide physical services and infrastructure that:

- Meets the needs of the future community and the development.
- Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.
- Incorporates a Water Sensitive Urban Design approach to stormwater management to protect water quality.

**Development plan**

A development plan should be generally consistent with the requirements of the Coastal/Hopkins River Environment Structure Plan May 2008 and the Coastal/Hopkins River Outline Development Plan in Clause 21.05.

**Site Analysis**

A development plan must include a detailed site analysis that includes the following items to the satisfaction of the responsible authority:

- An environmental assessment of the flora, fauna and habitat significance of the land which includes recommended actions for management, revegetation and restoration of any identified conservation and vegetation protection areas where relevant. The assessment must also make recommendations with regard to management of noxious weeds as identified by the *Catchment and Land Protection Act 1994*.

- An archaeological survey and heritage assessment which includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites. The assessment must also identify areas where a Cultural Heritage Management Plan is required by the *Aboriginal Heritage Act 2006*.

- A landscape assessment that defines any important landscape views or vistas and any landscape features.

- An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.

- A consolidated site analysis plan that depicts all relevant site analysis information.
Design Response

A development plan must comprise:

- A design response that responds to the site analysis, and is generally consistent with the objectives and requirements of Coastal/Hopkins River Environment Structure Plan May 2008 and the Coastal/Hopkins River Outline Development Plan in Clause 21.05.
- A written report and plans addressing the objectives described in this schedule.
- The written report and plans must include (where relevant):

Subdivision and building envelopes

- An indicative lot layout plan in accordance with the Coastal/Hopkins Outline Development Plan in Clause 21.05 and the following requirements:

Environmental Cluster Lots:

- A minimum lot size of 2,000 square metres.
- Lot size and orientation which respond to topography and provide opportunities for view sharing.

Open Space Cluster Lots:

- Lot which range in area from 400 square metres to 1,000 square metres, and have a minimum area of 400 square metres.
- Lots which are clustered within re-vegetated areas.
- Lot size and orientation which responds to topography and provides opportunities for view sharing.
- A minimum lot size of 1,000 square metres should be achieved on lots with an interface to the Residential Transitional Area.
- Opportunities for integration with the Residential Transitional Area and future residential areas to the west should be provided.

Residential Transitional Area:

- Lot size and orientation which responds to topography and provides opportunities for view sharing.
- A minimum lot size of 2,000 square metres.
- Building envelopes are to be shown on each lot for a dwelling, outbuildings and vehicle access ways. Building envelopes are to allow opportunities for view sharing.
- Building envelopes on lots with an interface to the Residential Transitional Area are to include ‘no build zones’ in appropriate locations to maintain view sharing.
- Building envelopes on lots with an interface to the Residential Transitional Area are to include a 10 metre setback from the common property boundary and incorporate ‘no build’ zones to protect view corridors from adjoining properties.
- Building envelopes are to allow for appropriate setbacks from adjoining properties and must be sited to ensure appropriate landscape areas can be provided.

Movement network

- Street layout plan (informed by a Traffic Management Plan) that details all aspects of the movement network, including streets, intersection treatments, traffic management devices, public transport routes and pedestrian/cycle paths.
- The design and location of infrastructure such as pedestrian/cycle paths within the coastal reserve and any proposed beach access must take into account Coastal Hazard Vulnerability modelling to reduce risks associated with coastal erosion.

- Typical cross-sections for all streets.

- Shared paths (minimum 2.5 metre wide) are to be provided on any existing and/or proposed collector road (including Hopkins Point Road).

- Road alignment and infrastructure are to be low visual impact including narrow road pavements, rollover kerbs and wide nature strips where possible.

- Road reserves are to contain significant space to provide a vegetated backdrop/foreground to future buildings and structures.

- Vehicle access is to be provided within the Residential Transition Area to allow future development opportunities for the Residential Transition Area.

- A pedestrian / cycle linkage is to be provided to Logans Beach Road.

**Open space and landscape**

- An open space plan generally in accordance with the Open Space Network contained in the Coastal/Hopkins River Outline Development Plan in Clause 21.05.

- A landscape masterplan for any proposed open space area and a street tree theme for streets and any common property accessways, including nomination of suitable species.

- A plan detailing any vegetation to be preserved on site, vegetation to be removed and any revegetation works required in accordance with the recommendations of the flora and fauna assessment, including the types of species to be used.

- Details of fencing treatments proposed for land abutting open space areas.

**Service provision and drainage**

- A drainage report detailing how stormwater will be collected and treated, including adoption of Water Sensitive Urban Design principles; overland flow paths, and treatment and storage of stormwater.

- A physical services report detailing the provision of water, sewerage, drainage and other utility services in accordance with requirements of relevant service authorities.
SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13.

NORTH SIDE OF HOPKINS POINT ROAD

The Coastal Hopkins River Environment Structure Plan, May 2008, provides the strategic basis for the design and development provisions of this overlay.

1.0 Requirement before a permit is granted

A permit may be granted for the use, development or subdivision of land prior to the approval of a development plan provided the responsible authority is satisfied that the granting of a permit will not prejudice the future development of the area as intended by the Coastal Hopkins River Environment Structure Plan May 2008 and the objectives and design response provisions of this schedule.

2.0 Requirements for development plan

A development plan must be generally in accordance with the Coastal/Hopkins River Outline Plan in Clause 21.05 and the Coastal Hopkins River Environment Structure Plan May 2008 and must address the following objectives:

Overall objectives

To implement the vision of the Coastal Hopkins River Environment Structure Plan May 2008 to create a quality residential environment that responds to local characteristics and context, and provides a range of living opportunities through a diversity of residential densities situated in a variety of landscape settings, with specific reference to the following plan elements:

- Subdivision and building envelopes.
- Movement network.
- Open space and landscape.
- Service provision and drainage.

To implement the layout, design and density objectives of the Coastal/Hopkins River Outline Development Plan in Clause 21.05.

Subdivision and building envelope objectives

To provide a neighbourhood that:

- Provides diversity in lot sizes and housing styles, with smaller lots in key, high amenity locations and larger lots in appropriate locations such as on steep slopes.
- Ensures future buildings and structures can be sited to incorporate space for the planting of substantial vegetation and avoids steep slopes.
- Has wide nature strips to allow planting that dominate the roadside setting.
- Incorporates the use of Water Sensitive Urban Design principles.

Movement network objectives

To provide a movement network, including a connector road, local street and pedestrian/cycle path network that:

- Responds to the topography.
- Establishes a permeable street network which allows for safe and convenient pedestrian, bicycle and vehicle movement.
- Enhances pedestrian and bicycle links between public open spaces within and beyond the study area and between existing and future residential development in the Coastal / Hopkins River Environment area.

- Ensures that development is designed to be integrated with existing public transport systems.

- Manages the impacts of residential development on the existing road network.

**Open space and landscape objectives**

To provide an interlinked open space network that:

- Provides accessible and high amenity public open spaces incorporating existing landscape and environmental features and takes advantage of key views.

- Provides the opportunity for views of the surrounding landscape from private allotments, and public domain.

- Minimises the visual intrusion of residential development when viewed from key locations in the surrounding areas.

- Provides pedestrian links in open space to adjoining areas.

**Service provision and drainage objectives**

To provide physical services and infrastructure that:

- Meets the needs of the future community and the development.

- Provides for the efficient, staged delivery of services and infrastructure to ensure all lots are provided with adequate services.

- Incorporates a Water Sensitive Urban Design approach to stormwater management to protect water quality.

**Site Analysis**

A development plan must include a detailed site analysis and design response that includes the following items to the satisfaction of the responsible authority:

- An environmental assessment of the flora, fauna and habitat significance of the land which includes recommended actions for management, revegetation and restoration of any identified conservation and vegetation protection areas where relevant. The assessment must also make recommendations with regard to management of noxious weeds as identified by the *Catchment and Land Protection Act 1994*.

- An archaeological survey and heritage assessment which includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites. The assessment must also identify areas where a Cultural Heritage Management Plan is required by the *Aboriginal Heritage Act 2006*.

- A landscape assessment that defines any important landscape views or vistas and any landscape features.

- An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.

- A consolidated site analysis plan in digital and hard copy format that depicts all relevant site analysis information.

- A geotechnical assessment which incorporates at least the following information:
  - Location of proposed lots,
  - Proposed services, such as sewer, stormwater, water, gas, electricity, telephone and other utility services,
- Contour lines to AHD (500mm vertical intervals),
- Earthwork details, and
- Identification of trees to be removed or retained.

- A geotechnical site analysis that includes a:
  - Stability Assessment Report; and
  - Landslide Hazard Rating Analysis.

**Design Response**

The development plan must comprise:

- A design response that is based on the results of the site analysis process, and is generally consistent with the objectives and requirements of Coastal / Hopkins River Environment - Structure Plan.

- A written report and plans addressing the objectives described in this schedule. The report and plans must include (where relevant):

**Subdivision and building envelopes**

- An indicative lot layout plan in accordance with the Coastal / Hopkins River Outline Development Plan in Clause 21.05 and the following requirements:

**Area 1 - Riverside Bush Lots:**

- Lots which range between 2,000 and 7,000 square metres at a maximum density of 2.5 dwellings per hectare. Smaller lots (minimum 2,000 square metres) are only permitted on land with less than 20% slope.

- Lots which are capable of containing a building envelope measuring 20 metres by 40 metres.

- Building envelopes which are located close to the street frontage (9 metre setback to street frontage) to enable substantial re-vegetation in the rear yards and to protect steep slopes.

- A setback of a minimum of 50 metres from the shared boundary for lots abutting the biodiversity corridor along the Hopkins River.

- Building envelopes which are setback a minimum of 5 metres from each side boundary.

**Area 2 - Low Density Bush Lots:**

- Lots which range between 1,500 - 2,500 square metres.

- Low Density Bush Lots which are designed so that buildings parallel to the contours can be accommodated.

- Lots which are capable of containing a building envelope measuring 20 metres by 30 metres. Envelopes which indicate a maximum building height of 5 metres above natural ground level.

- Building envelope should be setback a minimum of 3 metres from each side boundary and 6 metres from the street frontage and include access to the site.

**Area 3 - Spacious Residential Lots:**

- Lots which range between 1,000-2,000 square metres,

- Lots should be designed to allow site responsive buildings with an emphasis on spacing and re-vegetation between the buildings.

- Lots which are capable of containing a building envelope measuring 20 metres by 30 metres. The building envelope should be located close to the street frontage to allow substantial re-vegetation in the rear yards of properties.
- The building envelope setback a minimum of 3 metres from each side boundary and 6 metres from the street frontage and include access to the site.

- Lots abutting Hopkins Point Road are to be designed so that dwellings front that road. A service lane may be required to provide safe and convenient access to these lots.

- Dwellings adjacent to the shared east-west boundary with lots fronting Banksia Drive and Acacia Court are to where possible be built to the 38 metre contour line or lower, or alternatively be staggered between the view lines of existing dwellings, to ensure that current views to the coast especially at the Hopkins River opening) are fully retained.

**Area 4 - Conventional Residential:**

- Lots which range between 600-800 square metres.

- Lots abutting Hopkins Point Road are to be designed so that dwellings front that road. A service lane may be required to provide safe and convenient access to these lots.

**All building envelopes are to allow opportunities for view sharing.**

**Movement network**

- Street layout plan (informed by a Traffic Management Plan) that details all aspects of the movement network, including streets, intersection treatments, traffic management devices, public transport routes and pedestrian/cycle paths.

- Typical cross-sections for all streets. 2.5 metre wide shared paths must be provided on any existing and/or proposed collector road (including Hopkins Point Road).

- Where possible, pedestrian and cycle accesses should be located on slopes less than 5%.

- Road alignment and infrastructure should be low visual impact including narrow road pavements, rollover kerbs and wide nature strips where possible.

- Road reserves should contain significant space to provide a vegetated backdrop/foreground to future buildings and structures.

- Linkages to adjacent areas to the east.

**Open space and landscape**

- An open space plan generally in accordance with the Open Space Network contained in the Coastal / Hopkins River Environment - Structure Plan. Any proposed beach access must be in accordance with the Coastal Management Act 1995. The plan must include:

  - A biodiversity corridor of at least 50 metres in width along the Hopkins River edge.

  - An open space corridor of at least 30 metres in width along the ridge line within Area 2 (Low Density Bush Lots). This must link the road network to the west and the road network and open space reserve to the east as shown on the Coastal/Hopkins River Environment Structure Plan.

  - Details of proposed signage including aquatic safety signage and educational signage.

  - A 1 hectare park located south of the ridgeline.

  - A landscape masterplan for each open space area and a street tree theme for streets and any common property accessways, including nomination of suitable species. The landscape masterplan should encourage the retention of the green ridge line or skyline when viewed from key surrounding points through controlling development, revegetation and protecting vegetation including the selection and site vegetation so as to reduce the visual impact of the height and built form of buildings and structures, and allows for the reasonable sharing of views to the ocean and/or the Hopkins River from adjoining properties.
Select site vegetation to encourage the use of indigenous native species and species that realise appropriate growth heights and forms to achieve a vegetated backdrop and softening of future residential development.

A plan detailing any vegetation to be preserved on site, vegetation to be removed and any revegetation works required in accordance with the recommendations of the flora and fauna assessment, including the types of species to be used.

Details of fencing treatments proposed for land abutting open space areas.

Landscape envelopes for all lots within Residential Precincts 1 and 2.

**Service provision and drainage**

A drainage report detailing how stormwater will be collected and treated, including adoption of Water Sensitive Urban Design principles; overland flow paths, and treatment and storage of stormwater.

A physical services report detailing the provision of water, sewerage, drainage and other utility services in accordance with requirements of relevant service authorities.
LAND MANAGEMENT OVERLAYS
FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO with a number (if shown).

Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989* if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Floodway objectives and statement of risk

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling 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.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- 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.

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
An application must be accompanied by any information specified in a schedule to this overlay.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO.

1.0 Permit Requirement

None specified.
LAND SUBJECT TO INUNDATION OVERLAY

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

Purpose

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

To identify land in a flood storage or flood fringe area affected by the 1 in 100 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, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and floodplain health.

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling 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.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- 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.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information 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.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
- 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 effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

1.0

Permit requirement

None specified
**BUSHFIRE MANAGEMENT OVERLAY**

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

**Purpose**

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

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

**Bushfire management objectives and application of schedules**

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

**Permit requirement**

**Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

**Buildings and works**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person’s unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person’s unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person’s unit) that is less than 10 percent of the gross floor area of the existing building.
• A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.

• A building or works associated with timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3 Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

• A bushfire hazard site assessment including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.

• A bushfire hazard landscape assessment including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.

• A bushfire management statement describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4 Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5 Mandatory condition

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

• State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.

• Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

• State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”
This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is:
  - Constructed on the same land as the dwelling.
  - Available for use by the occupants of the dwelling at all times.
  - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

Referral of applications

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

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, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:
- Any other matters specified in a schedule to this overlay.

**Transitional arrangements**

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and

- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres,
    is provided to the satisfaction of the responsible authority.

- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.
SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO1.

WARRNAMBOOL BAL-12.5 AREAS

1.0

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 52.47 applies in all other circumstances.

2.0

Permit requirement

None specified.

3.0

Application requirements

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 52.47 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 52.47, and
- Vehicle access must be provided in accordance with Clause 52.47.

If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47

None specified.

6.0

Additional alternative measures for Clause 52.47

None specified.

7.0

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-4.
Referral of application not required
An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

Notice and review
None specified.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
OTHER OVERLAYS
ENVIRONMENTAL AUDIT OVERLAY

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

**Purpose**

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

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

**Requirement**

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.
DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO with a number.

Purpose

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

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.
SCHEDULE 1 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO1.

NORTH OF THE MERRI RIVER DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land that is bounded by Wollaston Road to the north, Caramut Road to the west, and the Merri Creek to the south and east, known as the North of the Merri River Structure Plan area, known as the North of the Merri River Structure Plan area.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads and Intersections</td>
<td>$15,127,248</td>
<td>Generally concurrent with subdivision</td>
<td>$14,569,207</td>
<td>96</td>
</tr>
<tr>
<td>Active Open Space*</td>
<td>$3,698,347</td>
<td>Long term</td>
<td>$415,347</td>
<td>11</td>
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<tr>
<td>Passive Open Space</td>
<td>$1,097,400</td>
<td>Generally concurrent with subdivision</td>
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<tr>
<td>Community Facilities</td>
<td>$300,000</td>
<td>Medium Term</td>
<td>$300,000</td>
<td>100</td>
</tr>
<tr>
<td>Off-Road pedestrian and cycle trails</td>
<td>$1,708,750</td>
<td>Medium Term</td>
<td>$1,708,750</td>
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</tr>
<tr>
<td>Planning Costs</td>
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<tr>
<td>Infrastructure</td>
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<td>Generally concurrent with subdivision</td>
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<td>Drainage Infrastructure</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>$23,795,175</strong></td>
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*Active open space projects to be funded by Council except for AO05.

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td>Roads and Intersections</td>
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</table>
## Facility Levies Payable By The Development

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Active Open Space*</td>
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<td>Passive Open Space</td>
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<td>Community Facilities</td>
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<tr>
<td>Off-Road pedestrian and cycle trails</td>
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<td>Planning Costs</td>
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<td>Infrastructure</td>
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<td>Drainage Infrastructure</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$134,436</strong></td>
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</table>

### Indexation

The levy payable per hectare of net developable area is adjusted annually in accordance with the North of the Merri Structure Plan (incorporated document).

### Land or development excluded from development contributions plan

No land within this schedule is to be excluded from the provision of this overlay.

*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.
SCHEDULE 2 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO2.

NORTH DENNINGTON DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

This Development Contributions Plan (DCP) applies to land within the North Dennington Growth Area (excluding Dennington Rise). This area is shown as DCPO2 in the Warrnambool Planning Scheme maps.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads and Intersections</td>
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<td>Generally concurrent with subdivision</td>
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<td>Community Facilities</td>
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<td>Long term - refer to DCP</td>
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</tr>
<tr>
<td>Open Space – Riverpark</td>
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<tr>
<td>Pedestrian and Cycle Trails</td>
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<td>Generally concurrent with subdivision</td>
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<tr>
<td>Planning Costs</td>
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<td>Drainage</td>
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3.0

Summary of contributions

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<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
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<tr>
<td></td>
<td>residential</td>
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<td>Roads and Intersections</td>
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<td>Community Facilities</td>
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<td>Open Space – Riverpark</td>
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### Levies Payable By The Development Facility

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure</th>
<th>Community Infrastructure</th>
<th>All Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Pedestrian and Cycle Trails</td>
<td>$13,723</td>
<td>-</td>
<td>$13,723</td>
</tr>
<tr>
<td>Planning Costs</td>
<td>$2,006</td>
<td>-</td>
<td>$2,006</td>
</tr>
<tr>
<td>Drainage</td>
<td>$34,909</td>
<td>-</td>
<td>$34,909</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$144,666</strong></td>
<td></td>
<td><strong>$144,666</strong></td>
</tr>
</tbody>
</table>

Levies are payable per hectare of net developable area identified in the North Dennington Development Contributions Plan. For the purposes of this Schedule, all net developable land is considered residential land within the North Dennington Structure Plan (unless specifically excluded by 4.0 of this Schedule).

Levies are listed in 2013 dollars and exclude GST. Levies are adjusted annually in accordance with the North Dennington Development Contributions Plan.

**Land or development excluded from development contributions plan**

This development contributions plan applies to all land in the North Dennington growth area excluding the Dennington Rise estate (refer to Property 44 in the North Dennington Development Contributions Plan) and any land developed for a non-government school, in accordance with the Ministerial Direction.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated North Dennington Development Contributions Plan for full details.*
SPECIFIC CONTROLS OVERLAY

Purpose
To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

Use or development
Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

Expiry of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>Racehorse Training on Levys Beach, December 2018</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
## SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

### Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 Scott Street and 19 Scott Street and 26 Strong Street Warrnambool and part 10 Scott Street, Warrnambool</td>
<td>West Warrnambool Industrial Precinct May 2015</td>
</tr>
<tr>
<td>Warrnambool Premier Speedway, 10275 Princes Highway, Allansford, formally described as Lot 1 on Title Plan 023927Y, Vol. 10625, Folio 147</td>
<td>Premier Speedway Signage, June 2016</td>
</tr>
</tbody>
</table>
PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
## SCHEDULE TO CLAUSE 52.02

### Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Under Section 24A of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
SATELLITE DISH

Purpose
To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.

To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

Application
This clause applies to:
- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

Permit requirement
A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.

This does not apply to a satellite dish with a diameter:
- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback 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, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

Decision guidelines
Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
52.05

**SIGNS**

**Purpose**

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

**Application**

This clause applies to the development of land for signs.

**Requirements**

**Sign categories**

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

**Section 1**

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

**Section 2**

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

**Section 3**

A sign in Section 3 is prohibited and must not be constructed or put up for display.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>Clause 59.09</td>
<td></td>
</tr>
<tr>
<td>The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- 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.

<table>
<thead>
<tr>
<th>52.05-3</th>
<th>31/07/2018</th>
<th>VC148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referral of applications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>52.05-4</th>
<th>31/07/2018</th>
<th>VC148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expiry of permits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>52.05-5</th>
<th>31/07/2018</th>
<th>VC148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing signs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- 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. |

<table>
<thead>
<tr>
<th>52.05-6</th>
<th>31/07/2018</th>
<th>VC148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>An application must be accompanied by the following information, as appropriate:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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 Road Zone or 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.

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

- **Impacts on views and vistas:**
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.

- **The relationship to the streetscape, setting or landscape:**
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.

- **The relationship to the site and building:**
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.

- **The impact of structures associated with the sign:**
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

- **The impact of any illumination:**
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.

- **The impact of any logo box associated with the sign:**
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- **The need for identification and the opportunities for adequate identification on the site or locality.**

- **The impact on road safety. A sign is a safety hazard if the sign:**
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
Mandatory conditions

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.

- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.

- A sign at a hospital that gives direction to emergency facilities.

- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.

- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.

- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.

- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:

- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

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.

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**Category 1 - Commercial areas**

Minimum limitation

**Purpose**

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>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.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### WARRNAMBOOL PLANNING SCHEME

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 2 - Office and industrial

**Low limitation**

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>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.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

52.05-12

31/07/2018

VC148
### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 3 - High amenity areas

**Medium limitation**

**Purpose**

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 4 - Sensitive areas

**Maximum limitation**

**Purpose**

To provide for unobtrusive signs in areas requiring strong amenity control.
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
# SCHEDULE TO CLAUSE 52.05 ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose
To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
To support sustainable transport alternatives to the motor car.
To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
To ensure that car parking does not adversely affect the amenity of the locality.
To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope
Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces
Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement
A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

Table 1: Car parking requirement

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Bar</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Space to each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Betting agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Bowling green</td>
<td>6</td>
<td>6</td>
<td>To each rink plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Child care centre</td>
<td>0.22</td>
<td>0.22</td>
<td>To each child</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td></td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3.5</td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td>Display home centre</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td>Display home centre</td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>0.4</td>
<td>0.3</td>
<td>To each student that is part of the maximum number of students on the site at any time</td>
</tr>
<tr>
<td>Food and drink premises other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Freezing and cool storage, other than listed in this table</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td></td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Motel</strong></td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td><strong>Motor repairs</strong></td>
<td>3</td>
<td>3</td>
<td>To each 100 sq m of net floor area plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners</td>
</tr>
<tr>
<td><strong>Office other than listed in this table</strong></td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td><strong>Place of assembly other than listed in this table</strong></td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td><strong>Postal agency</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Primary school</strong></td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td><strong>Research and development centre</strong></td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td><strong>Residential aged care facility</strong></td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td><strong>Residential village</strong></td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td><strong>Retirement village</strong></td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td><strong>Restaurant</strong></td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Restricted retail premises</strong></td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Roofing house</strong></td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td><strong>Saleyard</strong></td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td><strong>Secondary school</strong></td>
<td>1.2</td>
<td>1.2</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td><strong>Shop other than listed in this table</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Squash court – other than in conjunction with a dwelling</strong></td>
<td>3</td>
<td>3</td>
<td>To each court plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Store other than listed in this table</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Supermarket</td>
<td>5</td>
<td>5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Swimming pool – other than in conjunction with a dwelling</td>
<td>5.6</td>
<td>5.6</td>
<td>To each 100 sq m of the site</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

### Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

### Application requirements and decision guidelines for permit applications

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
• The short-stay and long-stay car parking demand likely to be generated by the proposed use.
• The availability of public transport in the locality of the land.
• The convenience of pedestrian and cyclist access to the land.
• The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
• The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
• Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

• The Car Parking Demand Assessment.
• Any relevant local planning policy or incorporated plan.
• The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
• On street parking in residential zones in the locality of the land that is intended to be for residential use.
• The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
• Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
• The future growth and development of any nearby activity centre.
• Any car parking deficiency associated with the existing use of the land.
• Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
• Local traffic management in the locality of the land.
• The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
• The need to create safe, functional and attractive parking areas.
• Access to or provision of alternative transport modes to and from the land.
• The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
• The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
• Any other matter specified in a schedule to the Parking Overlay.
• Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

52.06-8
25/05/2017
VC133

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay. Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

52.06-9
19/09/2017
VC132
Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, 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 Road Zone.
- 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 Road Zone, 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

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45º</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>
### Angle of car parking spaces to access way

<table>
<thead>
<tr>
<th></th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>60°</strong></td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td><strong>90°</strong></td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: 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

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

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.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction 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.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Complies with Section 43(3) of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td>Complies with Section 42(7) or Section 42A Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td>Complies with Section 47A of the Electricity Industry Act 1993.</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Complies with Section 77T of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Complies with the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Complies with Section 118 of the Petroleum Act 1998.</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
<tr>
<td>Complies with Section 120 of the Petroleum Act 1998.</td>
</tr>
</tbody>
</table>

Application requirements for mineral extraction

An application to use and develop land for mineral extraction 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.
Referral requirements for mineral extraction

Before deciding on any applications to use and develop land for mineral extraction the Responsible Authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.08-2 do not apply to an application to use and develop land for mineral extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
STONE EXTRACTION AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for stone extraction 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 sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Application
These provisions apply to planning permit applications for:
- The use and development of land for stone extraction.
- The use and development of land within an extractive industry interest area.
- The use and development of land within 500 metres of stone extraction.

Permit exemptions for stone extraction
A permit to use and develop land for stone extraction will not be required if the conditions in the table to Clause 52.08-1 are met.

Application requirements
An application to use and develop land for stone extraction 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 to an application to use and develop land for stone extraction which 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.

Referral requirements
Before deciding on any applications to use and develop land for stone extraction the responsible authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.09-4 do not apply to an application to use and develop land for stone extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The effect of the proposed stone extraction on any native flora and fauna on and near the land.
- The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Mineral Resources (Sustainable Development) Act 1990 and other relevant regulations.
- 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 stone extraction on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed stone extraction on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement issued under the Mineral Resources (Sustainable Development) Act 1990.

Permit conditions for stone extraction

A permit for the use and development of land for stone extraction 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 for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

Requirements for the use and development of land for stone extraction

Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

Parking areas

Parking areas must be provided for employees’ cars and all vehicles used on the site to the satisfaction of the responsible authority.
Notice of an application

Notice of the kinds of application listed below 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:

- 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*.

These requirements do not apply to an extension to buildings or works.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 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.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 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.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected 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.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this 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 2006), 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.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.

- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.

- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

1.0

Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

WARRNAMBOOL PLANNING SCHEME
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.
- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.
- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.
- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.
- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.
- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.
- Any sign displayed must be directly associated with bushfire recovery.
- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

52.13-4
04/10/2018
VC153

Land in a Heritage Overlay

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying 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; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

52.13-5
04/10/2018
VC153

Land in a Land Management Overlay

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, 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.

52.13-6
04/10/2018
VC153

Land in an Environmental Audit Overlay

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

52.13-7
26/09/2019
VC164

Cessation of use

A use must not continue after 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

Decision guidelines

Before deciding on an application to allow the retention or continuing use of a building, 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 reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose
To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope
This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan
Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.

For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

52.14-3

Land in an Erosion Management Overlay
For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay
For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain 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
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.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency services</strong></td>
</tr>
<tr>
<td>The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td>The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.</td>
</tr>
<tr>
<td><strong>Public land management</strong></td>
</tr>
<tr>
<td>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:</td>
</tr>
<tr>
<td>- The Department of Environment, Land, Water and Planning;</td>
</tr>
<tr>
<td>- The Department of Economic Development, Jobs, Transport and Resources; or</td>
</tr>
<tr>
<td>- Parks Victoria, whether on private land or not.</td>
</tr>
<tr>
<td><strong>General</strong></td>
</tr>
<tr>
<td>The helicopter landing site where either:</td>
</tr>
<tr>
<td>- 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:</td>
</tr>
<tr>
<td>- 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).</td>
</tr>
<tr>
<td>- Flight movements do not take place before 7am or after sunset on a weekday.</td>
</tr>
<tr>
<td>- Flight movements do not take place before 8am or after sunset on a weekend or holiday; or</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
</tbody>
</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

**Decision guidelines**

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose
To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application
This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans
A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement
A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements
An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

| The requirement to obtain a permit does not apply to: | Conservation work | | Crown land | | Emergency works | | Fire protection |
|---|---|---|---|---|---|---|
| | 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 | | 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), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or | | 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: | - fire fighting; |
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- 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.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>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.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>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.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>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.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>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.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>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).</td>
</tr>
</tbody>
</table>

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Regrowth</th>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- 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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>

| 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*). |

<table>
<thead>
<tr>
<th>Stone exploration</th>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeasing and bulk sampling activities.</td>
</tr>
</tbody>
</table>

| Stone extraction                                                       | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |

| 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. |

<table>
<thead>
<tr>
<th>Traditional owners</th>
<th>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- a natural resource agreement under Part 6 of the <em>Traditional Owner Settlement Act 2010</em>; or</td>
</tr>
<tr>
<td></td>
<td>- an authorisation order made under sections 82 or 84 of the <em>Traditional Owner Settlement Act 2010</em> as those sections were in force immediately before the commencement of section 24 of the <em>Traditional Owner Settlement Amendment Act in 2016</em> (1 May 2017).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utility installations</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- to maintain the safe and efficient function of a Minor utility installation; or</td>
</tr>
<tr>
<td></td>
<td>- 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 <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
**SCHEDULE TO CLAUSE 52.16**

**Native vegetation precinct plan**

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>

**WARRNAMBOOL PLANNING SCHEME**
52.17

NATIVE VEGETATION

Purpose
To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.17-1

Permit requirement
A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

52.17-2

Application requirements
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
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
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
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.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td>- 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).</td>
</tr>
<tr>
<td>Crown land</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td>- 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), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td>- 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).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Emergency works</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing buildings</strong></td>
<td>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.</td>
</tr>
</tbody>
</table>
| 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**       | 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. |
| **Farming Zone and 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.                                                                                                                     |
| **Fences**                                    | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:  
|                                               | - the operation or maintenance of an existing fence; or  
|                                               | - the construction of a boundary fence between properties in different ownership.  
| The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence. |
| **Fire protection**                           | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:  
|                                               | - fire fighting;  
|                                               | - planned burning;  
|                                               | - making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
|                                               | - making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);  
|                                               | - in accordance with a fire prevention notice issued under either:  
|                                               | - Section 65 of the Forests Act 1958; or  
|                                               | - Section 41 of the Country Fire Authority Act 1958.  
|                                               | - 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; |
The requirement to obtain a permit does not apply to:

- 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.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grasses</td>
<td>Native grass that is to be mowed or slashed for maintenance only, provided that the grass is:</td>
</tr>
<tr>
<td></td>
<td>- located within a lawn, garden or other landscaped area; or</td>
</tr>
<tr>
<td></td>
<td>- maintained at a height of at least 10 centimetres above ground level.</td>
</tr>
<tr>
<td>Grazing</td>
<td>Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on:</td>
</tr>
<tr>
<td></td>
<td>- freehold land; or</td>
</tr>
<tr>
<td></td>
<td>- Crown land in accordance with a license, permit or lease granted under applicable legislation.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>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.</td>
</tr>
<tr>
<td>Harvesting for timber production – naturally established native vegetation</td>
<td>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 and are:</td>
</tr>
<tr>
<td></td>
<td>- undertaken on public land under a licence or permit issued under section 52 of the Forests Act 1958; or</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>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.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>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.</td>
</tr>
<tr>
<td>Lopping and pruning for maintenance</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the pruning or lopping of the trunk of a native tree; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation on a roadside or railway reservation.</td>
</tr>
<tr>
<td>Requirement</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| **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. |
| **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 requirement to obtain a permit does not apply to:

- 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
- 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.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| **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).  
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable 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 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).  
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, 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.  
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 core drilling and bulk sampling activities. |
| **Stone extraction**              | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act. |
| **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:  
- 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 a Minor utility installation; or  
- to enable the carrying out of utility installation activities. |
The requirement to obtain a permit does not apply to:

- 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. |
### SCHEDULE TO CLAUSE 52.17

#### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

#### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

#### Utility installation code of practice

| Name of code of practice | |
|--------------------------||
| None specified | |
TELECOMMUNICATIONS FACILITY

Purpose
To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.
To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Permit requirement
A permit is required to construct a building or construct or carry out works for a Telecommunications facility. This does not apply to buildings and works for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cth).
- A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of A Code of Practice for Telecommunications Facilities in Victoria, July 2004.
- 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.

Land in public ownership
An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.
This requirement does not apply if the applicant is the public land manager.

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 unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or
The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay; or

The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this 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.

### Application requirements

An application must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- 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.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- The effect of the proposal on adjacent land.
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.
[NO CONTENT]
PRIVATE TENNIS COURT

Purpose
To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.
To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

Application
This clause applies to any private tennis court which is used in association with a dwelling.

Permit requirement
A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.
A permit is required to construct, use or illuminate a private tennis court:
- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

Application requirements
Unless the circumstances do not require, an application under this clause must be accompanied by the following information:
- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.
Notice provisions

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act. In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

Decision guidelines

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.
COMMUNITY CARE ACCOMMODATION

Purpose
To facilitate the establishment of community care accommodation.
To support the confidentiality of community care accommodation.

Application
This clause applies to the use and development of land for community care accommodation.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

Buildings and works exemption
Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- 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.
- If the development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, standards B6, B17, B18, B19, B20, B21 and B22 of Clause 55 are met.

Exemption from notice and review
An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
52.23

ROOMING HOUSE

Purpose
To facilitate the establishment of domestic-scale rooming houses.

52.23-1

Application
This clause applies to use and development of land for a rooming house.

52.23-2

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land 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
Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land 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.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
LICENCED PREMISES

Purpose
To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope
These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required
A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications
An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
SCHEDULE TO CLAUSE 52.27

**Permit not required**

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit may not be granted**

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
GAMING

Purpose
To ensure that gaming machines are situated in appropriate locations and premises.
To ensure the social and economic impacts of the location of gaming machines are considered.
To prohibit gaming machines in specified shopping complexes and strip shopping centres.

Gaming objectives
A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

Permit requirement
A permit is required to install or use a gaming machine.
This does not apply in either of the following circumstances:
- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a strip shopping centre
Installation or use of a gaming machine is prohibited in a strip shopping centre if:
- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.
A strip shopping centre is an area that meets all of the following requirements:
- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;
but it does not include the Capital City Zone in the Melbourne Planning Scheme.

Locations for gaming machines
A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.
52.28-7
Venues for gaming machines
A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8
Application requirements
An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9
Decision guidelines
Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- 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.
SCHEDULE TO CLAUSE 52.28 GAMING

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gateway Plaza Shopping Centre, Warrnambool</td>
<td>154 Raglan Parade Warrnambool, also described in C/T Vol.9733 Fol.268</td>
</tr>
</tbody>
</table>

Prohibition of a gaming machine in a strip shopping centre

A gaming machine as specified in Clause 52.28-4 is prohibited in all strip shopping centres on land covered by this planning scheme.
LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose
To ensure appropriate access to identified roads.
To ensure appropriate subdivision of land adjacent to identified roads.

Application
This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement
A permit is required to:

- Create or alter access to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

- Subdivide land adjacent to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit not required
A permit is not required to:

- 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.

Referral of applications
An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be referred to the Roads Corporation under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

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.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- 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.
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td></td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td>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.</td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

**Application requirements**

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

**Site and context analysis**

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - 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 (Cth), 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 (Cth)
- 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 noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - 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.

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.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

### Mandatory condition

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- 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.


### Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

### Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or

- 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.
Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; 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.

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 any turbine by more than 20%; 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.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0

Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land within five kilometres of the high water mark of the coast, east of the Hopkins Highway.</td>
</tr>
<tr>
<td>All land within five kilometres of a residential zone, an industrial zone, a business zone or a special purpose zone in the urban area of Warrnambool.</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0 Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>All</th>
</tr>
</thead>
</table>

WARRNAMBOOL PLANNING SCHEME
52.34  
31/07/2018  
VC148

BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-1  
19/01/2006  
VC37

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

52.34-2  
31/07/2018  
VC148

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-3  
31/07/2018  
VC148

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.34-4  
31/07/2018  
VC148

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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.
- Any relevant bicycle parking strategy or equivalent.

52.34-5  
08/08/2019  
VC159

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

**Table 1 to Clause 52.34-5 Bicycle spaces**

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>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</td>
<td>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</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>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.</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
### Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

### Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

### Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
• Include wall or floor rails for bicycle parking.
• Provide an internal access path of at least 1.5 metres in width.

Bicycle signage

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:
• Be at least 0.3 metres wide and 0.45 metres high.
• Display a white bicycle on a blue background on the top half of the sign.
• Display information about the direction of facilities on the bottom half of the sign.
GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

For the purposes of section 18(8)(a) of the Subdivision Act 1988, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.
Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or location of subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land within the North of the Merri River Structure Plan</td>
<td>1.67%</td>
</tr>
<tr>
<td></td>
<td>Land/and or cash contribution requirements must be in accordance with the North of the Merri River Development Contributions Plan (September, 2011).</td>
</tr>
<tr>
<td>Land within the North Dennington Structure Plan area (excluding Dennington Rise)</td>
<td>3% cash contribution in accordance with the North Dennington Development Contributions Plan (November, 2014).</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework. To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. To ensure that the location, design and construction of development appropriately responds to the bushfire hazard. To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level. To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application
This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06. Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:
- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.
Clause 53.02-4 applies to all other applications.

Operation
The provisions of this clause contain:
- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.
A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.
A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective
To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 1.1</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
</tbody>
</table>

| AM 1.2  | A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space. |
|         | A building is constructed to the bushfire attack level: |
|         | - That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or |
|         | - The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply: |
|         |   - A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling. |
|         |   - A minimum bushfire attack level of BAL12.5 is provided in all circumstances. |

| AM 1.3  | A building is provided with: |
|         | - A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. |
|         | - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. |

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
</tbody>
</table>
| AM 2.2  | A building is sited to ensure the site best achieves the following:  
- The maximum separation distance between the building and the bushfire hazard.  
- The building is in close proximity to a public road.  
- Access can be provided to the building for emergency service vehicles. |
| AM 2.3  | A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building. |

53.02-4.2  
**Defendable space and construction objective**

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 3.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:  
- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or  
- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.  
The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5. |
| AM 3.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:  
- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.  
- Constructed to a bushfire attack level of BAL12.5. |

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
AltM 3.5  A building used for a dwelling (including an extension or alteration to a dwelling) may provide
defendable space to the property boundary where it can be demonstrated that:
- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact
    or harmful levels of radiant heat.
- Less defendable space and a higher construction standard is appropriate having regard
to the bushfire hazard landscape assessment.
- The dwelling is constructed to a bushfire attack level of BAL FZ.
This alternative measure only applies where the requirements of AM 3.1 cannot be met.

AltM 3.6  A building used for accommodation (other than a dwelling or dependent person’s unit), child
care centre, education centre, hospital, leisure and recreation or place of assembly may
provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to
Clause 53.02-5 where it can be demonstrated that:
- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and
    capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a
    mechanism to secure implementation.
- Less defendable space and a higher construction standard is appropriate having regard
to the bushfire hazard landscape assessment.

53.02-4.3  Water supply and access objectives
A static water supply is provided to assist in protecting property.
Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 4.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent
         | person’s unit, industry, office or retail premises is provided with:
         |   - A static water supply for fire fighting and property protection purposes specified in Table
         |         4 to Clause 53.02-5.
         |   - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
         | The water supply may be in the same tank as other water supplies provided that a separate
         | outlet is reserved for fire fighting water supplies. |
| AM 4.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), child
         | care centre, education centre, hospital, leisure and recreation or place of assembly is provided
         | with: |

WARRNAMBOOL PLANNING SCHEME
 RequirementMeasure
A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.
Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

53.02-4.4 Subdivision objectives
To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.
To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 5.1</td>
<td>An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:</td>
</tr>
<tr>
<td></td>
<td>The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</td>
</tr>
<tr>
<td>AM 5.2</td>
<td>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</td>
</tr>
<tr>
<td></td>
<td>Each lot satisfies the approved measure in AM 2.1.</td>
</tr>
<tr>
<td></td>
<td>A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</td>
</tr>
<tr>
<td></td>
<td>Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</td>
</tr>
<tr>
<td></td>
<td>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</td>
</tr>
<tr>
<td></td>
<td>Defendable space wholly contained within the boundaries of the proposed subdivision.</td>
</tr>
<tr>
<td></td>
<td>Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
</tr>
<tr>
<td></td>
<td>Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</td>
</tr>
<tr>
<td></td>
<td>Water supply and vehicle access that complies with AM 4.1.</td>
</tr>
<tr>
<td>AM 5.3</td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
Measure | Requirement
--- | ---
AM 5.4 | A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

Measure | Requirement
--- | ---
AltM 5.5 | A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defensible space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:
- All other requirements of AM 5.2 have been met.
- Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Stratagy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope: All upslopes and flat land (0 degrees)</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>48</td>
</tr>
<tr>
<td>Woodland</td>
<td></td>
<td>33</td>
</tr>
<tr>
<td>Scrub</td>
<td></td>
<td>27</td>
</tr>
<tr>
<td>Shrubland</td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td></td>
<td>17</td>
</tr>
<tr>
<td>Rainforest</td>
<td></td>
<td>23</td>
</tr>
<tr>
<td>Grassland</td>
<td></td>
<td>19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;0 to 5 degrees</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>57</td>
</tr>
<tr>
<td>Woodland</td>
<td></td>
<td>41</td>
</tr>
<tr>
<td>Scrub</td>
<td></td>
<td>31</td>
</tr>
<tr>
<td>Shrubland</td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Rainforest</td>
<td></td>
<td>29</td>
</tr>
<tr>
<td>Grassland</td>
<td></td>
<td>22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;5 to 10 degrees</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>69</td>
</tr>
<tr>
<td>Woodland</td>
<td></td>
<td>50</td>
</tr>
<tr>
<td>Scrub</td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>Shrubland</td>
<td></td>
<td>25</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td></td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td></td>
<td>36</td>
</tr>
<tr>
<td>Grassland</td>
<td></td>
<td>25</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slope: Downslope &gt;10 to 15 degrees</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>82</td>
</tr>
<tr>
<td>Woodland</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>Scrub</td>
<td></td>
<td>39</td>
</tr>
<tr>
<td>Shrubland</td>
<td></td>
<td>28</td>
</tr>
</tbody>
</table>
Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>28</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>73</td>
</tr>
</tbody>
</table>
Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>Downslope (degrees)</td>
</tr>
<tr>
<td></td>
<td>&gt;0-5</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
</tr>
</tbody>
</table>
Table 4 Water supply requirements

<table>
<thead>
<tr>
<th>Lot sizes (square meters)</th>
<th>Hydrant available</th>
<th>Capacity (litres)</th>
<th>Fire authority fittings and access required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 500</td>
<td>Not applicable</td>
<td>2,500</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>Yes</td>
<td>5,000</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>No</td>
<td>10,000</td>
<td>Yes</td>
</tr>
<tr>
<td>1,001 and above</td>
<td>Not applicable</td>
<td>10,000</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building.

Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1.</td>
</tr>
</tbody>
</table>
Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>The following design and construction requirements apply:</td>
</tr>
<tr>
<td>Length of access is greater than 30 metres</td>
<td>- All-weather construction.</td>
</tr>
<tr>
<td>Length of access is greater than 100 metres</td>
<td>- A load limit of at least 15 tonnes.</td>
</tr>
<tr>
<td>Length of access is greater than 200 metres</td>
<td>- Provide a minimum trafficable width of 3.5 metres.</td>
</tr>
<tr>
<td></td>
<td>- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</td>
</tr>
<tr>
<td></td>
<td>- Curves must have a minimum inner radius of 10 metres.</td>
</tr>
<tr>
<td></td>
<td>- 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.</td>
</tr>
<tr>
<td></td>
<td>- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</td>
</tr>
</tbody>
</table>

A turning area for fire fighting vehicles must be provided close to the building by one of the following:

- A turning circle with a minimum radius of eight metres.
- A driveway encircling the dwelling.
- The provision of other vehicle turning heads — such as a T or Y head — which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.

Passing bays must be provided at least every 200 metres.

Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 6 Vegetation management requirement

Defendable space is provided and is managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

<table>
<thead>
<tr>
<th>Building construction condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</td>
</tr>
<tr>
<td>- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or</td>
</tr>
<tr>
<td>- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.</td>
</tr>
</tbody>
</table>

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors

ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position

iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose
To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the *Sex Work Act 1994*.

Permit requirement
A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the *Sex Work Act 1994*.

Decision guidelines
Responsible authorities should consider the matters set out in section 73 of the *Sex Work Act 1994* before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the *Sex Work Act 1994*, unless section 76(2) of *Sex Work Act 1994* applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the *Planning and Environment Act 1987*, or

- An application to amend a permit in accordance with Part 4 Division 1A of the *Planning and Environment Act 1987*, or

- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the *Planning and Environment Act 1987*, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the *Sex Work Act 1994*. 
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - 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 Road Zone.
  - 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.
FREEWAY SERVICE CENTRE

Purpose
To ensure that freewayservice centres are appropriately designed and located.
To ensure that access to a freewayservice centre from a freeways is designed to therequirements ofthe Roads Corporation.
To ensure that freewayservice centres with access to a ruralfreeway provide only essential services andfacilities which encourage drivers to stop and take an effective break at appropriate intervals inthe interests ofdriver safety.
To ensure that any new freewayservice centre meets an identifiable need to provide essential services andfacilities along a freeway where those services andfacilities are not readily available.
To ensure that the use ofland for a freewayservice centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freewayservice centre must provide only essential services andfacilities. These essential services andfacilities must be available at all times. Essential services andfacilities that a freewayservice centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale offood, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freewayservice centre with access to a ruralfreeway must also provide local and regional tourist information.

A freewayservice centre must not include:

- Mechanical repairs (other than the emergency repair ofvehicles).
- Retail facilities ofmore than 240 square metres.
- Video hire.
- Post office services orfacilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption ofalcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freewayservice centre with access to a ruralfreeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freewayservice centres
No vehicular access between a freewayservice centre with access to a metropolitanfreeway and the localroad network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

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.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
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.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:
- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.

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 1.0 of the schedule to this clause.

Meaning of terms
In this clause:
- **live music entertainment venue** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.

- **noise sensitive residential use** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:
- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- 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 (Schedule B1 of SEPP N2 does not apply).
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.

**Application requirements**

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

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

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.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
### Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building 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 Road Zone.
  - 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.
CATTLE FEEDLOT

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose
To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm
Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm
An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).
This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review
The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Metal Products</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>- other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Chemical, Petroleum &amp; Coal Products</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>- blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                  |                             | Note 1|
| Boiler makers                             | 100                         |       |
| Structural or sheet metal production:     | 500                         |       |
| Works producing iron or steel products in amounts: | |       |
| - up to 1,000,000 tonnes per year         | 100                         |       |
| - exceeding 1,000,000 tonnes per year     | 1,000                       |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                 | 500                         |       |
| Bakery (other than one ancillary to a shop): | 100                     |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

**Miscellaneous Manufacturing**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fibreglass production:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Leather and artificial leather goods production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Rendering and casings works:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Rubber production, using either organic solvents or carbon black:</td>
<td>300</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Non-metallic Mineral Products**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
</tr>
<tr>
<td>- up to 5,000 tonnes a year</td>
<td>300</td>
</tr>
<tr>
<td>- between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
</tr>
<tr>
<td>- exceeding 150,000 tonnes a year</td>
<td>1,000</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
</tr>
<tr>
<td>• involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
</tr>
<tr>
<td>• from semi-processed materials</td>
<td>100</td>
</tr>
<tr>
<td>• from prepared cellulose &amp; rags</td>
<td>200</td>
</tr>
<tr>
<td>• by other methods than above</td>
<td></td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>Note 1</td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>Note 1</td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>Note 1</td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td></td>
</tr>
<tr>
<td>▪ Accepting organic wastes</td>
<td>Note 1</td>
</tr>
<tr>
<td>▪ Other</td>
<td>100</td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>Note 1</td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td>Use distances in Paper &amp; Paper Products</td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Textiles</strong></td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
</tr>
<tr>
<td>▪ cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000</td>
</tr>
<tr>
<td>▪ other synthetic fibres and textiles</td>
<td>500</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
</tr>
<tr>
<td>▪ using carbon disulphide</td>
<td>500</td>
</tr>
<tr>
<td>▪ using other substances</td>
<td></td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
</tr>
<tr>
<td><strong>Transport and Storage</strong></td>
<td></td>
</tr>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
</tr>
<tr>
<td><strong>Wood, Wood Products &amp; Furniture</strong></td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
</tr>
<tr>
<td>• by the retort process</td>
<td>500</td>
</tr>
<tr>
<td>• other than by the retort process</td>
<td>1,000</td>
</tr>
<tr>
<td>Joinery:</td>
<td>100</td>
</tr>
<tr>
<td>Sawmill:</td>
<td>500</td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td>100</td>
</tr>
<tr>
<td>Wood-fibre or wood-chip products:</td>
<td>1,500</td>
</tr>
</tbody>
</table>
**TIMBER PRODUCTION**

**Timber production on Crown land**

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

**Timber production to comply with the Code of Practice for Timber Production**

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). 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.

**Road repairs**

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

**Decision guidelines**

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
The role of native forest and plantations in:
- Protecting water quality.
- Conserving flora and fauna.
- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

The preservation of and impact on the natural environment, cultural heritage and visual amenity.

Whether it is appropriate to require environmental protection standards greater than those in the Code.
**RACING DOG HUSBANDRY**

**Purpose**

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

**Requirement**

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

**Exemption from notice and review**

An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

Purpose
To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

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

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.

- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence 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.
    - 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.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- 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, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.

Amendment VC161 transitional provisions

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
RESOURCES RECOVERY

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

Application requirements

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence 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.

Decision Guidelines

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
## Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

---

**Table: Pig Class Specifications**

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.
To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.
To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Application requirements
An application must be accompanied by:
- A site and context description.
- A design response.
- A landscape plan.

Site and context description
The site and context description may use a site plan, photographs or other techniques and must include:
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response
The design response must explain how the proposed design:
- Responds to the site and context description.
- Meets the requirements of this clause.
Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

Development requirements

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>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.</td>
<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>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</td>
</tr>
</tbody>
</table>
### Development context

<table>
<thead>
<tr>
<th>Development context</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

### Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
**Walls on boundaries**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Daylight to existing windows**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

### Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

### Daylight to new windows

A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

### Site coverage

The site area covered by buildings should not exceed 80 percent.

### Access

Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.

- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.

- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**

Accessible and useable communal open space should be provided for residents and staff.

**Front fence**

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose
To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application
This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- 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.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3
26/10/2018
VC154

Requirements

An application to subdivide land:
- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:
- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4
26/10/2018
VC154

Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:
- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average 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 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.

**Stormwater management objectives for buildings and works**

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- 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.

**Site management objectives**

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3
An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.

- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.

- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Integration with the street objective
To integrate the layout of development with the street.

Standard A2
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
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<th>Development context</th>
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<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>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.</td>
<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>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.</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

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.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives
To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.
Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives

To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling 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.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

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.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18
The private open space should be located on the north side of the dwelling, if practicable.
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.
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.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

Table A2 Maximum front fence height

<table>
<thead>
<tr>
<th>Street context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

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.
TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

<table>
<thead>
<tr>
<th>Application type</th>
<th>Applicable clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or to construct or extend a residential building.</td>
<td>All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).</td>
</tr>
<tr>
<td>To construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.</td>
<td>All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.</td>
</tr>
</tbody>
</table>

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:
Must meet all of the objectives of this clause that apply to the application.

Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

**Transitional provisions**

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

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.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Neighbourhood character objectives
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

Standard B1
The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard B2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, 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, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

  - 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.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>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.</td>
<td>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.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>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.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
• Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

• The visual impact of the building when viewed from the street and from adjoining properties.

• The value of retaining vegetation within the front setback.

Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard B7
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

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.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B8
The site area covered by buildings should not exceed:

• The maximum site coverage specified in a schedule to the zone, or

• If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

• Any relevant neighbourhood character objective, policy or statement set out in this scheme.

• The design response.

• The existing site coverage and any constraints imposed by existing development or the features of the site.

• The site coverage of adjacent properties.

• The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:

- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives

To achieve and protect energy efficient dwellings and residential buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

**Open space objective**
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

**Standard B11**
If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

**Safety objective**
To ensure the layout of development provides for the safety and security of residents and property.

**Standard B12**
Enterances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**
To encourage development that respects the landscape character of the neighbourhood.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

**Standard B13**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should meet any additional landscape requirements specified in a schedule to the zone.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

**Access objective**

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Standard B14**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard B15
Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard B18**

A new wall constructed or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

**Daylight to existing windows objective**

To allow adequate daylight into existing habitable room windows.
Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram B3 North-facing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram B4 Overlooking open space**

![Diagram B4 Overlooking open space](image)

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
The design response.

The impact on the amenity of the secluded private open space or habitable room window.

The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.

The internal daylight to and amenity of the proposed dwelling or residential building.

### Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

### Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or

- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability of the private open space, including its size and accessibility.

- The availability of and access to public or communal open space.

- The orientation of the lot to the street and the sun.

**Solar access to open space objective**

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the secluded private open space based on the sunlight it will receive.

**Storage objective**

To provide adequate storage facilities for each dwelling.
Standard B30
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

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.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Deep soil areas and canopy trees objective

To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 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 B6 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railways</td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41

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 B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>• A slide door, or</td>
<td>• A slide door, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens outwards, or</td>
<td>• A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens inwards that is clear of the circulation area</td>
<td>• A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td></td>
<td>and has readily removable hinges.</td>
<td></td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>• A minimum area of 1.2 metres by 1.2 metres.</td>
<td>• A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>• Located in front of the shower and the toilet.</td>
<td>• The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>• Clear of the toilet, basin and the door swing.</td>
<td>• Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the</td>
<td>Not applicable.</td>
</tr>
<tr>
<td></td>
<td>circulation area.</td>
<td></td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42

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.

**Private open space above ground floor objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**

A dwelling should have private open space consisting of:
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 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.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**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, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard B44**

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

**Table B9 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**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.

**Waste and recycling objectives**

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard B45**

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.

- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- 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.

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard B46
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table B10 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

Table B11 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard B47
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
• The room combines the living area, dining area and kitchen.
• The kitchen is located furthest from the window.
• The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

• The design response.
• The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
• The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
• Any overhang above habitable room windows that limits daylight access.

## Windows objective
To allow adequate daylight into new habitable room windows.

**Standard B48**
Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

• A minimum width of 1.2 metres.
• A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

• The design response.
• The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
• The useability and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.

## Natural ventilation objectives
To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**
The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

• A maximum breeze path through the dwelling of 18 metres.
• A minimum breeze path through the dwelling of 5 metres.
Ventilation openings with approximately the same area.
The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:
- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed subdivision.
- Standards. A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:
- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.

- Served by public transport that is connected to the regional public transport network.

- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.

- Located on arterial roads or connector streets.

- Of appropriate size to accommodate a mix of uses that meet local community needs.

- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective
To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4
A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training 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.

Built environment objective
To create urban places with identity and character.

Standard C5
The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective
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.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

Solar orientation of lots objective
To provide good solar orientation of lots and solar access for future dwellings.

Standard C9
Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

Street orientation objective
To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10
Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Common area objectives
To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11
An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12
An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives
To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
    - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
    - Sufficient to incorporate two football/cricket ovals
    - Appropriate for the intended use in terms of quality and orientation
    - Located on flat land (which can be cost effectively graded)
    - Located with access to, or making provision for, a recycled or sustainable water supply
    - Adjoin schools and other community facilities where practical
    - Designed to achieve sharing of space between sports.
  - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.
ACCESS AND MOBILITY MANAGEMENT

Integrated mobility objectives
To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14
An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15
The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.

- Link to any existing pedestrian and cycling networks.

- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.

- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.

- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.

- Ensure safe street and road crossings including the provision of traffic controls where required.

- Provide an appropriate level of priority for pedestrians and cyclists.

- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.

- Be accessible to people with disabilities.

Public transport network objectives
To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’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.

**Walking and cycling network detail objectives**

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

**Standard C18**

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.
- Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.
- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.

- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.

- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.

- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.

- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
• Provide a safe environment for all street users applying speed control measures where appropriate.

• Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.

• Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

• Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.

• Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

• Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.

• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.

• Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.

• Provide for the safe and efficient collection of waste and recycling materials from lots.

• Be accessible to people with disabilities.

• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

• The street hierarchy and typical cross-sections for all street types.

• Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.

• Water sensitive urban design features.

• Location and species of proposed street trees and other vegetation.

• Location of existing vegetation to be retained and proposed treatment to ensure its health.

• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective
To provide for safe vehicle access between roads and lots.

Standard C21
Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane
A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m(^6) wide with no parking spaces to be provided.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>None</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>None</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>300vpd to 1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td></td>
<td>5.5m wide with parking on carriageway - one side.</td>
</tr>
<tr>
<td></td>
<td>Appropriately signed.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>7.5m minimum total width.</td>
</tr>
<tr>
<td></td>
<td>For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Footpath provision</strong></td>
<td>Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.</td>
</tr>
<tr>
<td><strong>Cycle path provision</strong></td>
<td>None</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>30kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>4m minimum each side</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td><strong>Footpath provision</strong></td>
<td>1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.</td>
</tr>
<tr>
<td><strong>Cycle path provision</strong></td>
<td>Carriageway designed as a shared zone and appropriately signed.</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td><strong>Footpath provision</strong></td>
<td>1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.</td>
</tr>
</tbody>
</table>
Be offset a minimum distance of 1m from the kerb.

<table>
<thead>
<tr>
<th>Cycle path provision</th>
<th>Carriageway designed as a shared zone and appropriately signed.</th>
</tr>
</thead>
</table>

**Connector Street - Level 1**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>50 kph² reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td>- 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td>- 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</td>
</tr>
<tr>
<td>- 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width⁴</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Kerbing⁵</th>
<th>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Footpath provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5m wide footpaths on both sides.</td>
</tr>
<tr>
<td>Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td>Footpaths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

**Connector Street - Level 2**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>60 kph³ or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
### Carriageway width, 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
- 6m minimum each side (plus central median).

### Kerbing
- 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

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>Greater than 7000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
### 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.

<table>
<thead>
<tr>
<th><strong>Verge width</strong>&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Arterial road design as required by the relevant roads authority.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kerbing</strong>&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td><strong>Footpath &amp; cycle path provision</strong></td>
<td>3m wide shared path on each side or as otherwise required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, $d_a =$ average depth in metres and $V_{ave} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
**Shared trenching objectives**

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

**Standard C27**

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

**Electricity, telecommunications and gas objectives**

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

**Standard C28**

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

**Fire hydrants objective**

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

**Standard C29**

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

**Public lighting objective**

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.

- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- 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.
**URBAN CONTEXT**

**Urban context objectives**
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

**Standard D1**
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

**Residential policy objectives**
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

**Standard D2**
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.

**Dwelling diversity objective**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Standard D3**
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

**Infrastructure objectives**
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, 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, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- 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.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings 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

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

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.
Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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 useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**

To encourage development that respects the landscape character of the area.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
### Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

**Note:** Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

### Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

### Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

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**Parking location objectives**
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

**Standard D12**
Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

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**Integrated water and stormwater management objectives**
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

**Standard D13**
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16
Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 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 D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
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 D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</td>
</tr>
<tr>
<td></td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td></td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
</tr>
<tr>
<td></td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
</tr>
<tr>
<td></td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
</tr>
<tr>
<td></td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
</tr>
<tr>
<td></td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
To ensure internal communal areas provide adequate access to daylight and natural ventilation.
Standard D18
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.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D19
A dwelling should have private open space consisting of:
- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area 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 balcony should provide an additional area of 1.5 square metres.

Table D5 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

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, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

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 D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**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.
DETAILED DESIGN

Common property objectives
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
To avoid future management difficulties in areas of common ownership.

Standard D21
Developments should clearly delineate public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.

Site services objectives
To ensure that site services can be installed and easily maintained.
To ensure that site facilities are accessible, adequate and attractive.

Standard D22
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.
Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
Mailboxes should be provided and located for convenient access as required by Australia Post.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Waste and recycling objectives
To ensure dwellings are designed to encourage waste recycling.
To ensure that waste and recycling facilities are accessible, adequate and attractive.
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D23
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 best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.

- 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.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:
- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
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:
Windows objective
To allow adequate daylight into new habitable room windows.

Standard D26
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, 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.

Natural ventilation objectives
To encourage natural ventilation of dwellings.
To allow occupants to effectively manage natural ventilation of dwellings.

Standard D27
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.
REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- 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.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.
  - 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.
SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.

- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.

- If common property is proposed, an explanation of why the common property is required.

- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- 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.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - 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.
FRONT FENCE IN A RESIDENTIAL ZONE

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

- A copy of the title for the subject land and a copy of any registered restrictive covenant.

- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.

- A photograph of the site and adjoining and nearby properties along the street frontage.

- The reason for the proposed height.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.

- The extent to which slope and retaining walls reduce the effective height of the proposed fence.

- Whether the proposed fence is needed to minimise noise intrusion.

- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.

- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.

- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- 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.
REMOVE, DESTROY OR LOP A TREE

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a 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.
APPLICATIONS UNDER A HERITAGE OVERLAY

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (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 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 facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

General
- The significance of the heritage place and whether the proposal will adversely affect that significance.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Whether the proposal meets any relevant local heritage policy set out in the 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.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
**SIGNS**

### Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

### Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
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.
Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
The convenience of pedestrian and cyclist access to the land.

The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.

The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.

On street parking in residential zones in the locality of the land that is intended to be for residential use.

The future growth and development of any nearby activity centre.

Local traffic management in the locality of the land.

Access to or provision of alternative transport modes to and from the land.

Whether any car parking spaces to be provided meet the design standards of Clause 52.06.

Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A 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.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location 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.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
For buildings and works associated with a dwelling:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, 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.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
  - An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
  - Photographs of the building or area affected by the proposal.
  - A written statement, plan or diagram demonstrating how the proposal meets:
    - The garden area requirement specified in the zone.
    - The requirements in the following standards of Clause 54:
- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out
in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.14-2

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

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.
LOCAL VICSMART APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
### Table 1 Classes of local VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements
None specified

2.0 Decision guidelines
None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
GENERAL EXEMPTIONS
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- 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.
62.02 BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1 Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

62.02-2 Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person’s unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.

- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.

- A disabled access ramp.

- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

- A solar energy facility attached to a building that primarily services the land on which it is situated.

- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

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**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

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.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.

- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.

- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
**LAND USED IN CONJUNCTION WITH ANOTHER USE**

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- 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 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.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types 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.

Notice

Notice of an application of the kind listed below 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.
## SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

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.

## Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas 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.

### Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS
An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>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</td>
<td></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Major electricity line or easement

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Special water supply catchment area

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <em>Catchment and Land Protection Act 1994</em> and which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Kind of application

<table>
<thead>
<tr>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>A notification is required under the Occupational Health and Safety Regulations 2007.</td>
<td></td>
</tr>
<tr>
<td>A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</td>
<td></td>
</tr>
<tr>
<td>A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</td>
<td></td>
</tr>
</tbody>
</table>

To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:

- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.
- A notification is required under the Occupational Health and Safety Regulations 2007.
- 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.

### Stone Extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the Heritage Act 1995.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

To use or develop land for stone extraction on Crown land or land abutting Crown land, other than a government road.


Determining referral authority

To use or develop land for stone extraction:

- In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.

Secretary to the Department administering the Catchment and Land Protection Act 1994.

Determining referral authority
## WARRNAMBOOL PLANNING SCHEME

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- 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.</td>
<td>Secretary to the Department administering the <em>Flora and Fauna Guarantee Act 1988</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- 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.</td>
<td>Secretary to the Department administering Section 201 of the <em>Water Act 1989</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the <em>Flora and Fauna Guarantee Act 1988</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em> 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>. 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 Roads Corporation and the declared road is not a freeway.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the Geothermal Energy Resources Act 2005</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the Greenhouse Gas Geological Sequestration Act 2008</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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.
### Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <em>Water Act 1989.</em></td>
<td>Secretary to the Department administering the <em>Water Act 1989.</em></td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-----------------------------------------</td>
<td>------------------------------------</td>
</tr>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
  - The outbuilding is ancillary to a dwelling,  
  - 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
  - The canopy of each tree within the defendable space is separated by at least 2 metres, and  
  - Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority |
<p>| Clause 44.07-4 (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. | Roads Corporation | Determining referral authority |
| Clause 52.05 | 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. | Roads Corporation | Determining referral authority |
| Clause 52.27 | An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am. | Victorian Commission for Gambling and Liquor Regulation | Determining referral authority |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>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 <em>Road Management Act 2004</em>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
**SCHEDULE TO CLAUSE 66.04**

Referral of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 11 to Clause 43.04 (DPO)</td>
<td>All Applications</td>
<td>Wannon Water</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
# NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | 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 extension to buildings or works. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21   | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 52.27   | An application in association with a bar, hotel or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause 53.09   | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority |
| Clause 67.02   | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme | 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 67.03   | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
## SCHEDULE TO CLAUSE 66.06

### Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

**Class 1**
Use of land for -
Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, stone extraction, 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.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice 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:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

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 of this scheme must be given to the Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
OPERATION OF THIS PLANNING SCHEME
Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 sets out the vision for the future development of the municipality and sets the 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.

Relationship to the Municipal Strategic Statement

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making

Society has 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.

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.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use 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.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A)(b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and 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:

- Renewable energy facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater.

with the exception of the following:

- 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.
SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0
Responsible authority for administering and enforcing this planning scheme:
The Warrnambool 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:
None specified.

3.0
Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0
Responsible authority for VicSmart applications:
The Chief Executive Officer of Warrnambool 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.
WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

Area covered by this planning scheme:

Municipal district of Warrnambool City Council.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).

- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.

- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

1. 1DCPO, 1DDO12, 1DDO16, 1DPO, 1ESO, 1FO, 1HO
2. 2DDO11, 2DDO16, 2DPO, 2ESO, 2HO
3. 3ESO
4. 4DDO12, 4DDO13, 4DPO, 4EAO, 4ESO, 4FO, 4HO, 4LSIO 4SLO, 4BMO, 4SCO
5. 5DCPO, 5DDO1, 5DDO12, 5DPO, 5ESO, 5FO, 5HO, 5LSIO
6. 6DCPO, 6DDO1, 6DPO, 6ESO, 6FO, 6HO, 6LSIO
7. 7DPO, 7HO, 7LSIO, 7BMO
8. 8DDO15, 8DPO, 8EAO, 8ESO, 8FO, 8HO, 8LSIO, 8SLO
9. 9DDO14, , 9HO, 9LSIO
10. 10HO, 10DPO, 10LSIO, 10BMO
11. 11DDO5, 11DDO6, 11DDO7, 11DDO8, 11DDO9, 11DDO10, 11DDO15, 11DPO, 11EAO, 11ESO, 11HO, 11LSIO, 11SLO, 11BMO
12. 12DDO15, 12EAO, 12ESO, 12HO, 12SLO, 12BMO
13. 13DDO2, 13DDO17, 13DPO, 13ESO, 13HO, 13SLO, 13BMO
14. 14DPO, 14EAO, 14BMO
15. 15DDO3, 15DDO17, 15DPO, 15ESO, 15HO, 15SLO, 15BMO
16. 16DDO3, 16ESO, 16HO
17. 17ESO, 17SLO, 17BMO
DOCSuMNTS INCORPORATED IN THIS PLANNING SCHEME

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

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

### Incorporated documents

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deakin University Warrnambool Campus Signage, September 2012</td>
<td>C85</td>
</tr>
<tr>
<td>Logans Beach Urban Design Guidelines, February 2000</td>
<td>C12</td>
</tr>
<tr>
<td>North Dennington Development Contributions Plan, November 2014</td>
<td>C90</td>
</tr>
<tr>
<td>North Dennington Structure Plan, September 2014</td>
<td>C90</td>
</tr>
<tr>
<td>North of the Merri River Development Contributions Plan, September 2011</td>
<td>C69</td>
</tr>
<tr>
<td>North of the Merri River Structure Plan, September 2011</td>
<td>C69</td>
</tr>
<tr>
<td>Premier Speedway Signage, June 2016</td>
<td>C83</td>
</tr>
<tr>
<td>Racehorse Training on Levys Beach, December 2018</td>
<td>C200warr</td>
</tr>
<tr>
<td>Warrnambool Infrastructure Incorporated Plan December 2012</td>
<td>C68</td>
</tr>
<tr>
<td>West Warrnambool Industrial Precinct May 2015</td>
<td>C199</td>
</tr>
</tbody>
</table>
WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

Date this planning scheme began:

22 April 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

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.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
# SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

## Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
**GENERAL TERMS**

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>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.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>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.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>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.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>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.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>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.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Gaming machine</strong></td>
<td>Has the same meaning as it has in the Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td><strong>Garden area</strong></td>
<td>Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling or residential building, except for:</td>
</tr>
<tr>
<td></td>
<td>- an eave, fascia or gutter that does not exceed a total width of 600mm;</td>
</tr>
<tr>
<td></td>
<td>- a pergola;</td>
</tr>
<tr>
<td></td>
<td>- unroofed terraces, patios, decks, steps or landings less than 800mm in height;</td>
</tr>
<tr>
<td></td>
<td>- a basement that does not project above ground level;</td>
</tr>
<tr>
<td></td>
<td>- any outbuilding that does not exceed a gross floor area of 10 square metres; and</td>
</tr>
<tr>
<td></td>
<td>- domestic services normal to a dwelling or residential building;</td>
</tr>
<tr>
<td></td>
<td>b) a driveway; or</td>
</tr>
<tr>
<td></td>
<td>c) an area set aside for car parking.</td>
</tr>
<tr>
<td><strong>Geelong G21 region</strong></td>
<td>The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.</td>
</tr>
<tr>
<td><strong>Gippsland region</strong></td>
<td>The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.</td>
</tr>
<tr>
<td><strong>Great South Coast region</strong></td>
<td>The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.</td>
</tr>
<tr>
<td><strong>Gross floor area</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Ground level</strong></td>
<td>The natural level of a site at any point.</td>
</tr>
<tr>
<td><strong>Habitable room</strong></td>
<td>Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.</td>
</tr>
<tr>
<td><strong>High quality productive agricultural land</strong></td>
<td>Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Hume region</strong></td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.</td>
</tr>
<tr>
<td><strong>Land capability assessment</strong></td>
<td>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.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Leasable floor area</td>
<td>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.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>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.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>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, Monash, Moonee Valley, Moreland, 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.</td>
</tr>
<tr>
<td>Mineral</td>
<td>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.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>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.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>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.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>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 or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the <em>Sex Work Act 1994</em>.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>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.</td>
</tr>
<tr>
<td>Storey</td>
<td>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.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>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.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>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.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>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.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Telecommunications line</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Telecommunications network</strong></td>
<td>A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications tower</strong></td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td><strong>Tenement</strong></td>
<td>Land comprised in:</td>
</tr>
<tr>
<td></td>
<td>a) a lot which does not adjoin another lot in the same ownership; or</td>
</tr>
<tr>
<td></td>
<td>b) lots in the same ownership and which adjoin each other.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Utility service provider</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Verge</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Wall height</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Wholesale</strong></td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td><strong>Wimmera Southern Mallee region</strong></td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.</td>
</tr>
</tbody>
</table>
SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>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.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes.</td>
</tr>
<tr>
<td></td>
<td>It does not include safety devices, platforms and lighting structures.</td>
</tr>
<tr>
<td></td>
<td>If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>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.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians.</td>
</tr>
<tr>
<td></td>
<td>It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>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.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td>Pole sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on a pole or pylon that is not part of a building or another structure;</td>
</tr>
<tr>
<td></td>
<td>b) that is no more than 7 metres above the ground;</td>
</tr>
</tbody>
</table>
**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. |
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>Corrective institution</td>
<td></td>
<td>Corrective institution</td>
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<tr>
<td>Dependent person’s unit</td>
<td></td>
<td>Dependent person’s unit</td>
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<tr>
<td>Dwelling</td>
<td></td>
<td>Dwelling</td>
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</tr>
<tr>
<td>Group accommodation</td>
<td></td>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
<td>Host farm</td>
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</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
<td>Residential aged care facility</td>
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<tr>
<td>Residential building</td>
<td></td>
<td>Residential building</td>
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<tr>
<td>Residential village</td>
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<td>Residential village</td>
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<tr>
<td>Retirement village</td>
<td></td>
<td>Retirement village</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>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.</td>
<td>Residential village</td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td></td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Aquaculture</td>
<td>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.</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Amusement park</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>A building that contains: a) three or more coin, card, or token operated amusement machines;</td>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>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</td>
<td></td>
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</tr>
<tr>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td>Animal production</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Animal production</td>
<td>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</td>
<td>Grazing animal production</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td>Animal training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td>Apiculture</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td>Aquaculture</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td>Art and craft centre</td>
<td>Art and craft centre</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>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.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Carnival</td>
<td>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.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>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.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Conference centre</td>
<td></td>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>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.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>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.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Corrective institution</td>
<td>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.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td>Horticulture</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice growing</td>
<td></td>
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<td></td>
<td></td>
<td>Timber production</td>
<td></td>
</tr>
<tr>
<td>Dance studio</td>
<td></td>
<td></td>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Data centre</td>
<td></td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>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.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Display home centre</td>
<td>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.</td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
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<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>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.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dwelling</td>
<td>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.</td>
<td>Bed and breakfast</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
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<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>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.</td>
<td>Greenhouse gas sequestration</td>
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<td></td>
<td></td>
<td>Greenhouse gas sequestration exploration</td>
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<td></td>
<td></td>
<td>Geothermal energy exploration</td>
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<td></td>
<td></td>
<td>Geothermal energy extraction</td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td>Mineral exploration</td>
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<td>Mineral exploration</td>
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<tr>
<td>Mineral extraction</td>
<td></td>
<td>Mineral extraction</td>
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<tr>
<td>Petroleum exploration</td>
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<td>Petroleum exploration</td>
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<tr>
<td>Petroleum extraction</td>
<td></td>
<td>Petroleum extraction</td>
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<tr>
<td>Stone exploration</td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
<td>Stone extraction</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>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.</td>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td>Employment training centre</td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>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.</td>
<td>Energy generation facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td></td>
<td>Renewable energy facility</td>
<td></td>
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<tr>
<td>Waste-to-energy facility</td>
<td></td>
<td>Waste-to-energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td></td>
<td>Bar</td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td></td>
<td>Convenience restaurant</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td></td>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>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.</td>
<td>Freeway service centre</td>
<td></td>
</tr>
</tbody>
</table>

WARRNAMBOOL PLANNING SCHEME
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td></td>
<td>Conference centre</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td>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.</td>
<td>Conference centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td>Conference centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td>Gaming premises</td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td>Garden supplies</td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction in accordance with the Geothermal Energy Resources Act 2005.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:</td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Emergency feeding</td>
<td>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.</td>
<td>Emergency, seasonal and supplementary feeding;</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Seasonal feeding</td>
<td>Providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land.</td>
<td>Seasonal feeding</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Supplementary feeding</td>
<td>Providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.</td>
<td>Supplementary feeding</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Greenhouse gas sequestration</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Greenhouse gas sequestration exploration</td>
<td>Shop</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Group accommodation</td>
<td>Hall</td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Hairdresser</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad,</td>
<td>Helicopter landing site</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<tr>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Heliport</td>
<td>An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.</td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Hospital</td>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>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.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>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.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing studio</td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Industry                 | Land used for any of the following operations:  
  a) any process of manufacture;  
  b) any other activity or activity.                                                                                                           | Materials recycling|                                      |
<p>|                          |                                                                                              | Refuse disposal   |                                      |
|                          |                                                                                              | Transfer station  |                                      |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b) dismantling or breaking up of any article;</td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) treating waste materials;</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If on the same land as any of these operations, it also includes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) storing goods used in the operation or resulting from it;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>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.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen.</td>
<td>Cattle feedlot</td>
<td>Animal production</td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• an abattoir or sale yard; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td></td>
<td>Child care centre</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Major sports and</td>
<td>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.</td>
<td>Race course</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>recreation facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Marina</td>
<td>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.</td>
<td>Jetty</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for the exploration of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mineral extraction</td>
<td>Land used for extraction of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following:</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td></td>
<td>a) sewerage or water mains;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) storm or flood water drains or retarding basins;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) flow measurement device or a structure to gauge waterway flow;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) siphons, water storage tanks, disinfection booster stations and channels;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) gas mains providing gas directly to consumers;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) a pumping station required to serve a neighbourhood;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Water retarding basin</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>---------------------------------</td>
</tr>
</tbody>
</table>
| 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; or  
  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. |                                                                                     |                        |                                 |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>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.</td>
<td>Bank</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electoral office</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Real estate agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>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.</td>
<td>Amusement park</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf course</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf driving range</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paintball games facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zoo</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Paintball games facility</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zoo</td>
<td></td>
</tr>
<tr>
<td>Paintball games facility</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td>Paintball games facility</td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Panel beating</td>
<td></td>
<td></td>
<td>Motor repairs</td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the Petroleum Act 1998.</td>
<td>Petroleum exploration</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the Petroleum Act 1998.</td>
<td>Petroleum extraction</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
</tbody>
</table>
| 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 |                                                                           |
<p>| 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                              |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racing dog training</td>
<td>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.</td>
<td></td>
<td>Racing dog husbandry</td>
</tr>
<tr>
<td>Railway station</td>
<td>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.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Real estate agency</td>
<td>Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception centre</td>
<td>Function centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td>Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.</td>
<td>Boat launching facility</td>
<td>Marina</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>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.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>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.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td>A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Residential aged care facility</td>
<td>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.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation Residential hotel Rooming house</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>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.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>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.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Land used by members of a club or group, or by members' guests, for religious or cultural activities, entertainment, or meetings. It may</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td></td>
<td>include food and drink for consumption on the premises, and gaming.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>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.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Restricted retail premises | Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods c) electric light fittings; d) animal supplies including equestrian and pet goods; e) floor and window coverings; f) furniture, bedding, furnishings, fabric and manchester and homewares; g) household appliances, household electrical goods and home entertainment goods; h) party supplies; i) swimming pools; j) office equipment and supplies; k) baby and children’s goods, children’s play equipment and accessories; l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which:  
  - Require a large area for handling, display and storage of goods; or  
  - Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. | Equestrian supplies Party supplies | Shop                              |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Retail premises</strong></td>
<td>Land used to:</td>
<td>Food and drink premises</td>
<td><strong>Accommodation</strong></td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Crop raising</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rice growing</strong></td>
<td>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.</td>
<td><strong>Transport terminal</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Road freight terminal</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rooming house</strong></td>
<td>Land used for a rooming house as defined in the <em>Residential Tenancies Act 1997.</em></td>
<td><strong>Residential building</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rural industry</strong></td>
<td>Land used to:</td>
<td>Abattoir</td>
<td><strong>Industry</strong></td>
</tr>
<tr>
<td></td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rural store</strong></td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td><strong>Store</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Saleyard</strong></td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sawmill</strong></td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td><strong>Rural industry</strong></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Car wash, Dry cleaner, Motor repairs</td>
<td>Industry</td>
</tr>
</tbody>
</table>
| Service station  | Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:  
|                  |            | a) selling of motor vehicle accessories or parts;  
|                  |            | b) selling of food, drinks and other convenience goods;  
|                  |            | c) hiring of trailers;  
|                  |            | d) servicing or washing of motor vehicles; and  
|                  |            | e) installing of motor vehicle accessories or parts. | |
| Shipping container storage | Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers. | | Store |
| Shop             | Land used to sell goods or services, or to hire goods. It includes:  
|                  |            | • the selling of bread, pastries, cakes or other products baked on the premises;  
|                  |            | • demonstrations of products including music performances in shops selling recorded music.  
|                  |            | It does not include:  
|                  |            | • food and drink premises;  
|                  |            | • gambling premises;  
|                  |            | • landscape gardening supplies;  
|                  |            | • manufacturing sales;  
|                  |            | • market;  
|                  |            | • motor vehicle, boat, or caravan sales;  
|                  |            | • postal agency;  
|                  |            | • primary produce sales; or  
<p>|                  |            | • trade supplies. | Adult sex product shop, Beauty salon, Bottle shop, Convenience shop, Dry cleaning agent, Department store, Hairdresser, Laundromat, Restricted retail premises, Supermarket |
| Sign             |            |                                      | Retail premises |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slipway</td>
<td>boat launching facility</td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>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.</td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Land used to search for stone, including: a) conducting geological, geophysical, and geochemical surveys; b) costeanning and bulk sampling; c) drilling; and d) taking samples for chemical, physical, or other testing.</td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Land used for the extraction or removal of stone in accordance with the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td>Store</td>
<td>Land used to store goods, machinery, or vehicles.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>Shop</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>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.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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<td>-------------------------</td>
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<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
</tr>
<tr>
<td>Timber yard</td>
<td>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.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in:</td>
</tr>
<tr>
<td></td>
<td>a) automotive repairs and servicing;</td>
</tr>
<tr>
<td></td>
<td>b) building;</td>
</tr>
<tr>
<td></td>
<td>c) commerce;</td>
</tr>
<tr>
<td></td>
<td>d) industry;</td>
</tr>
<tr>
<td></td>
<td>e) landscape gardening;</td>
</tr>
<tr>
<td></td>
<td>f) the medical profession;</td>
</tr>
<tr>
<td></td>
<td>g) primary production; or</td>
</tr>
<tr>
<td></td>
<td>h) local government, government departments or public institutions.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Land used to park or store vehicles in connection with a goods or passenger transport business.</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>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.</td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>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.</td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>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.</td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
</tr>
</tbody>
</table>
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.
Agriculture group (sub-group of Animal production)

- Agriculture
- Animal husbandry
- Animal production
- Intensive animal production
- Cattle feedlot
- Intensive dairy farm
- Pig farm
- Poultry farm
- Broiler farm
- Poultry hatchery

Education centre group

- Child care centre
- Kindergarten
- Employment training centre
- Primary school
- Secondary school
- Tertiary institution
Industry group

- Materials recycling
- Refuse disposal

Industry

Research and development centre

- Abattoir
- Sawmill
- Car wash
- Dry cleaner

Rural industry

Service industry

Transfer station

- Motor repairs
- Panel beating
Earth and energy resources group

- Geothermal energy exploration
- Geothermal energy extraction
- Greenhouse gas sequestration
- Greenhouse gas sequestration exploration
- Mineral exploration
- Mineral extraction
- Petroleum exploration
- Petroleum extraction
- Stone exploration
- Stone extraction
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre
- Art gallery
- Place of assembly
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
Recreational boat facility group

- Boat launching facility
  - Boat ramp
  - Slipway

- Recreational boat facility
  - Jetty
  - Mooring pole
  - Pier
  - Pontoon

Marina
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat
- Restricted retail premises
  - Equestrian supplies
  - Party supplies
- Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport

Transport terminal

- Railway station
- Road freight terminal
- Wharf
Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Warehouse group

- Commercial display area
  - Liquid fuel depot
  - Solid fuel depot

- Fuel depot
- Mail centre

- Warehouse
  - Milk depot
    - Boat and caravan storage
    - Freezing and cool storage
    - Rural store
    - Shipping container storage
    - Vehicle store

- Store
Energy Group

- Energy generation facility
- Renewable energy facility
- Waste-to-energy facility
- Solar energy facility
- Wind energy facility
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Crematorium
Display home centre
Emergency services facility
Freeway service centre
Funeral parlour
Helicopter landing site
Home based business
Hospital
Natural systems
Research centre
Saleyard
Service station
Sign
Tramway
Veterinary centre
Winery
74

STRATEGIC IMPLEMENTATION

31/07/2018
VC148
APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.
FURTHER STRATEGIC WORK

The schedule to this clause may specify the planning authority’s approach to further strategic work. A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.