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 - Metropolitan Melbourne

Strategies

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

Focus investment and growth in places of state significance, including:

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

Develop the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and change in major employment, health and education precincts and activity centres beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population.

Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.

Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.
Melbourne 2050 spatial framework
Green wedges - Metropolitan Melbourne

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

Strategies
Promote and encourage the key features and related values of each green wedge area.
Support development in the green wedge that provides for environmental, economic and social benefits.
Consolidate new residential development in existing settlements and in locations where planned services are available and green wedge values are protected.
Plan and protect major state infrastructure and resource assets, such as airports and ports with their associated access corridors, water supply dams, water catchments and waste management and recycling facilities.
Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.
Support existing and potential agribusiness activities, forestry, food production and tourism.
Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.
Protect significant resources of stone, sand and other mineral resources for extraction purposes.
Provide opportunities for renewable energy generation.

Policy documents
Consider as relevant:

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
- The Victorian Transport Plan (Victorian Government, 2008)
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)
Activity centres - Metropolitan Melbourne

**Strategies**

Support the development and growth of Metropolitan Activity Centres by ensuring they:

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

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

Locate new small scale education, health and community facilities that meet local needs in or around Neighbourhood Activity Centres.

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.
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:
• The Victorian Transport Plan (Victorian Government, 2008)
• 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:

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Protecting Victoria’s Environment – Biodiversity 2037 (Department of Environment, Land, Water and Planning, 2017)
- 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)

Yarra River protection

Objective
To maintain and enhance the natural landscape character of the Yarra River corridor.

Strategies
Strengthen the Yarra River’s natural environment, heritage and overall health by:
- Protecting the river’s riparian vegetation, natural riverbank topography and flood management capacity.
- Ensuring development does not increase the rate or quantity of stormwater, sediment or other pollutants entering the river.
- Protecting and enhancing both terrestrial and aquatic habitats and their linkages along the river corridor.

Promote a sense of place and landscape identity by:
- Retaining a dominant and consistent tree canopy along the river corridor and in its broader landscape setting.
- Ensuring that the appearance of development is subordinate to the local landscape setting, with any views of development being filtered through vegetation.

Retain and enhance people’s enjoyment of the river and its environment by:
Planning for the river and its environs as a recreation and tourism resource.

Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.

Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year-round.

Ensure that development is designed and sited to maintain and enhance the river’s secluded and natural environment by:

- Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.

- Ensuring that the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.

- Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres from the banks of the river.

**Policy documents**

Consider as relevant:

- *Middle Yarra River Corridor Study - Recommendations Report* (Department of Environment, Land, Water and Planning, 2016)

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
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
31/07/2018 VC148
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
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)*
13.04-1S

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 Separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)
Land use compatibility

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

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

Policy documents
Consider as relevant:

*Recommended separation distances for industrial residual air emissions* (Environment Protection Authority, 2013).
Major hazard facilities

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

Strategies
Ensure major hazard facilities are sited, designed and operated to minimise risk to surrounding communities and the environment.
Consider the risks associated with increasing the intensity of use and development within the threshold distance of an existing major hazard facility.
Apply appropriate threshold distances from sensitive land uses for new major hazard facilities and between major hazard facilities.
Protect registered or licenced major hazard facilities as defined under Regulation 5 of the Occupational Health and Safety Regulations 2017 from encroachment of sensitive land uses.
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.
Protection of agricultural land - Metropolitan Melbourne

Strategy

Protect agricultural land in Metropolitan Melbourne’s green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.
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 guidelines
Consider as relevant:
- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the Heritage Rivers Act 1992.

Policy documents
Consider as relevant:
- 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)

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)
Protection of declared irrigation districts

Objective

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

Strategies

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

Protect agricultural land serviced by irrigation infrastructure to ensure the future viability of an irrigation district.

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

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

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

Policy documents

Consider as relevant:

- Water for Victoria (Department of Environment, Land, Water and Planning, 2016)
- Gippsland Region Sustainable Water Strategy (Department of Sustainability and Environment, 2011)
- Western Region Sustainable Water Strategy (Department of Sustainability and Environment, 2011)
- Northern Region Sustainable Water Strategy (Department of Sustainability and Environment, 2009)
- Central Region Sustainable Water Strategy (Department of Sustainability and Environment, 2006)
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
- Greenhouse Gas Geological Sequestration Act 2008
- Geothermal Energy Resources Act 2005
- Petroleum Act 1998
- Melbourne Supply Area - Extractive Industry Interest Areas Review (Geological Survey of Victoria Technical Record, 2003/2)
- Ballarat Supply Area - Extractive Industry Interest Areas (Geological Survey of Victoria Technical Record, 1997/3)
- Bendigo Supply Area - Extractive Industry Interest Areas (Geological Survey of Victoria Technical Record, 1998/6)
- Geelong Supply Area - Extractive Industry Interest Areas (Geological Survey of Victoria Technical Record, 1999/2)
- La Trobe Supply Area - Extractive Industry Interest Areas (Geological Survey of Victoria Technical Record, 1999/4)
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.
Urban design

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

Strategies
Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
Ensure the interface between the private and public realm protects and enhances personal safety.
Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

Urban design - Metropolitan Melbourne

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

Strategies
Support the creation of well-designed places that are memorable, distinctive and liveable.
Integrate place making practices into road space management.
Strengthen Melbourne’s network of boulevards.
Create new boulevards in urban-growth areas and selected existing road corridors across Melbourne.
Provide spaces and facilities that encourage and support the growth and development of Melbourne’s cultural precincts and creative industries.
Building design

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

Strategies
Ensure a comprehensive site analysis forms the starting point of the design process and 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:

Healthy neighbourhoods - Metropolitan Melbourne

Strategy

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

Integrated housing - Metropolitan Melbourne

Strategies

Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.
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 opportunity areas - Metropolitan Melbourne

Strategies

Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters.
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Direct new housing to areas with appropriate infrastructure.
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 - Metropolitan Melbourne

Strategy
Create mixed-use neighbourhoods at varying densities that offer more choice in housing.
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.
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 - Metropolitan Melbourne**

**Strategies**

Support the Central City to become Australia’s largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces.

Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Facilitate the development of National Employment and Innovation Clusters by ensuring they:

- Have a high level of amenity to attract businesses and workers.
- Are supported by good public transport services and integrated walking and cycling paths.
- Maximise investment opportunities for the location of knowledge intensive firms and jobs.

Support the employment and servicing role of Health and Education Precincts by:

- Focussing on improving access, particularly public transport access.
- Encouraging co-location of facilities to better utilise existing infrastructure.
- Supporting and facilitating growth of associated businesses and industries.
- Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Plan for industrial land in suitable locations to support employment and investment opportunities. Facilitate investment in Melbourne’s outer areas to increase local access to employment.
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.
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.
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 separation distances for industrial residual air emissions (Environment Protection Authority, 2013)
Sustainable industry

Objective
To facilitate the sustainable operation of industry.

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

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

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

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

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

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 separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)
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 Investment Guidelines – Your Guide to Tourism Investment in Victoria (Tourism Victoria, 2008)
Tourism in Metropolitan Melbourne

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

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

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

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

Sustainable personal transport - Metropolitan Melbourne

Strategies

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

Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network.
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)
**Principal Public Transport Network**

**Strategies**

Facilitate high-quality public transport access to job-rich areas.

Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Identify and plan for new Principal Public Transport Network routes.

Support the Principal Public Transport Network with a comprehensive network of local public transport.

Plan for local bus services to provide for connections to the Principal Public Transport Network.

Improve the operation of the Principal Public Transport Network by providing for:

- A metro-style rail system.
- Extended tram lines and the establishment of a light rail system.
- Road space management measures including transit lanes, clearways, stops and interchanges.
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 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
Melbourne Airport

Strategies

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation.

Ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.

Policy documents

Consider as relevant:

- *Melbourne Airport Master Plan 2013 - People Place Prosperity* (Australia Pacific Airports (Melbourne) Pty Ltd, 2013)

- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*
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:


Freight links - Metropolitan Melbourne

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

19.01-2R

Renewable energy - Metropolitan Melbourne

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.
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.
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 precincts - Metropolitan Melbourne

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.
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.
Strategy

Ensure education precincts are well serviced by community services.
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.
Cultural facilities - Metropolitan Melbourne

Strategies

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

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

Strategies
Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.
Encourage the location of social and cultural infrastructure in activity centres.
Ensure social infrastructure is designed to be accessible.
Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.
Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.
Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.
Identify and protect land for cemeteries and crematoria.
19.02-5S

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.
Open space - Metropolitan Melbourne

Objective
To strengthen the integrated metropolitan open space network.

Strategies
Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Yarra River parklands (extending from Warrandyte to the Port Phillip Bay).

Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley ‘Sandbelt’ parklands and Dandenong Valley parklands.

Protect the metropolitan water’s edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the lower Yarra River as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents
Consider as relevant:

- Linking People and Spaces: A Strategy for Melbourne’s Open Space Network (Parks Victoria, 2002)
- Maribyrnong River Valley Design Guidelines (Department of Planning and Community Development, 2010)
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)
- 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)
- Water for Victoria - Water Plan (Victorian Government, 2016)
- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
- *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:

Telecommunications - Metropolitan Melbourne

Strategy

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

Municipal Snapshot

The City of Darebin is an established urban municipality of 53 square kilometres across the inner to middle northern suburbs of Melbourne, extending from 4 kilometres north of Melbourne’s Central Business District (CBD) at Northcote and Fairfield, through to Reservoir, Bundoora and Macleod a further 10 kilometres to the north. The municipality is bordered by the City of Yarra to the south, City of Whittlesea to the north, City of Moreland and Merri Creek to the west and City of Banyule and Darebin Creek to the east.

Darebin is one of the largest communities in Victoria, with over 55,000 properties, including more than 58,000 residences and 4700 commercial and industrial properties. It is also one of the most diverse, made up of people from a range of backgrounds, cultures, languages, religions, ages, socio-economic status, levels of ability, interests, expectations and aspirations. Darebin is also recognised as an important area of indigenous history, and has the second largest Aboriginal community within the Melbourne metropolitan area.

The built environment in Darebin reflects the City’s early Victorian beginnings in Northcote and the Preston Township, to various early 20th century bursts of expansion, post-war development in Reservoir, Kingsbury and East Preston, to the recent redevelopment of former state institutional areas in Bundoora and Macleod. The City has an established network of activity centres with key precincts at Preston, Northland, Northcote and Reservoir complemented by a range of neighbourhood and local centres.

Major retail areas include Northland Shopping Centre and Northland Homemaker Centre, Preston Central and Preston Market, Northcote Plaza, and High Street at Westgarth, Northcote and Thornbury. There are major industrial areas located in Fairfield, East Preston and Reservoir. Darebin also has two tertiary institutions, La Trobe University and Melbourne Polytechnic, and major health facilities at Bundoora Extended Care and Reservoir Private Hospital.

Although highly urbanised, Darebin accommodates regionally significant open space areas at Bundoora Park and Darebin Parklands, and important habitat areas at Central Creek Grasslands and Gresswell Wildlife Reserve. Substantial parklands and pockets of remnant natural areas along Merri and Darebin Creek borders are significant ecological and Aboriginal cultural heritage areas. Edwardes Lake Park in Reservoir and All Nations Park in Northcote are popular urban parkland destinations for leisure and recreation, and are complemented by a network of local and neighbourhood parks.

At the 2011 Census of Population and Housing, Darebin’s official resident population was 143,057. Growth is forecast at 1.06% per annum to reach 173,980 people by 2031, an extra 30,900 people or 21.6% increase overall. Population growth to date has come predominantly through migration into Darebin from other suburbs in Melbourne and from overseas, and this trend is expected to continue.

In 2012 retail was the largest sector in employment. Manufacturing remained the largest sector by value added ($575 million) and output ($1,746 million). The public sector continues to be a major employer, providing jobs in the three tiers of government, primary and secondary schools, tertiary education institutions and within health facilities.

Darebin is an increasingly desirable place to live, gaining popularity as a destination for retail, leisure and entertainment, and being well positioned to take advantage of its proximity to employment, recreation and entertainment opportunities in the Melbourne CBD, as well as those in neighbouring inner and outer metropolitan municipalities.

The City of Darebin has experienced significant change demographically, economically and physically over the last decade, primarily driven by a gradual but consistent change in its socio-economic make up towards a more affluent population. Increasing affluence through
gentrification is established in the southern half of the municipality (Northcote, Thornbury, Fairfield and Alphington) and progressing north into Preston, Reservoir and Bundoora. Gentrification is having a major impact on land use and development patterns.

Key Influences
The key influences in relation to the City of Darebin are:

Population Growth and Change
- Gentrification of suburbs has increased house prices and levels of residential development activity.
- Strong population growth and demographic change has placed pressure on existing housing stock to meet the needs of the future population.
- Ageing families and declining household sizes are placing pressure on housing supply as fewer people occupy more housing.
- Demand for housing in general has put pressure on housing affordability for existing and prospective residents.
- Increased population has also put pressure on infrastructure, contributing to congestion on transport routes and greater competition for car parking.

Economic Structural Shift
- Darebin’s economy is transitioning from a 'traditional' labour intensive manufacturing industrial base to a more mixed economy, with growth in modern retail and services sectors.
- Local employment in manufacturing and other traditional industries is being replaced by jobs in retail and services.
- The departure or scaling down of traditional industrial (due to factors such as high land costs, preference for smaller premises and conflicts with sensitive uses such as housing) has created pockets of vacant underutilised industrial land across the City.
- Growth in ‘lifestyle’ businesses, particularly in hospitality, arts and entertainment, in activity centres and retail strips reflect the socio-economic uplift of Darebin’s neighbourhoods.

Environmental Challenges
- Direct physical environment, economic and social health impacts of climate change.
- Additional parallel pressures, including loss of biodiversity, environmental degradation, resource depletion and security (including peak oil) and food security.
- Fundamental cultural and social changes, which need to occur if the worst impacts of climate change and other environmental challenges are to be avoided.

Regional Context
Melbourne is experiencing relatively high population growth, mostly accommodated in growth corridors extending up to 45 kilometres north and west from the central city. However, significant growth is also occurring in established inner and middle areas, such as Darebin.

The growth of Melbourne presents long term challenges in retaining the city’s liveability and productivity. A key issue is the continued concentration of jobs and associated activity in the central city, which is contributing to increasing congestion on roads and public transport in Darebin, and reduced local productivity and liveability.

In addition to substantial, integrated investment in transport and infrastructure in both established and growth areas to support changing development patterns and reduce lengthy and often car-based commuting, key opportunities in Darebin to tackle this issue include:
Transformation of land through the redevelopment of brownfield and greyfield sites into vibrant mixed use precincts that can accommodate a range of employment opportunities for people in the northern region, closer to where they live.

Growth in the knowledge economy through investment in the education, health, biomedical and research sectors. This can supplement the traditional retail and service centres and promote a shift to create more jobs in the suburbs.

The emerging La Trobe National Employment Cluster, centred around La Trobe University, Northland East Preston Activity Centre, and the Austin/Heidelberg medical precinct and activity centre, is a key opportunity to grow the knowledge economy beyond its central Melbourne focus, and provide more accessible employment opportunities in the northern Melbourne region.

### Issues for the Future

Following on from key local and regional influences identified above, the key issues facing Darebin, focussed around four strategic themes, are:

#### Environment
- Minimising negative impacts from land use and development on natural environmental assets, particularly creek and habitat corridors, and open spaces like Bundoora Park.
- Protection and enhancement of places of heritage significance.
- Developing strategies to ensure new development exhibits good design and contributes to liveable and environmentally sustainable built environments.
- Management of environmental risks in the natural and built and environment.

#### Housing
- Facilitation of well-designed housing to meet anticipated housing needs, both in terms of number and diversity.
- Managing the impacts of new housing development on the amenity of existing neighbourhoods.
- Provision of affordable, social and accessible housing in Darebin.
- Risks of social exclusion regarding access to local employment, essential services and leisure and recreational facilities, particularly in areas of entrenched socio-economic disadvantage.

#### Economic Development
- Facilitating supply of land for business investment, particularly those that can provide job opportunities for local residents.
- Future planning of core industrial employment precincts, including broadening the range of suitable employment options in these precincts.
- Best utilisation of vacant or underperforming industrial and commercial land in the municipality to attract investment, new business and employment opportunities.
- Managing interfaces and potential conflicts between commercial and industrial land uses and residential land uses.
- Providing space and flexibility in land use controls and decision making for business start-ups and home-based businesses.
- Maximising investment and employment opportunities around La Trobe University.

#### Transport and Infrastructure
- Integration of land use and transport planning to encourage sustainable transport use and reduce car dependency and associated road congestion and parking pressures.
- Effective and efficient planning and delivery of infrastructure, including transport, essential services, community facilities, and open space to meet existing and future demand.

- Equity of transport and infrastructure investment across the municipality, particularly in areas of entrenched social disadvantage.

- Promotion of urban renewal opportunities resulting from rail grade separation investments at Bell Street and Reservoir Junction.

Strategic Vision

The City of Darebin Council Plan 2013-2017 sets a vision for the municipality as “Darebin, the place to live” which is to be realised through Council’s mission of “Working with our diverse community to build a sustainable and liveable city”.

This is expanded on as follows:

“Darebin, the Place to Live is a place where people feel a sense of belonging, are healthy and connected to their environment and neighbourhood, feel and are safe and free from discrimination and violence, have access to shelter, transport and fresh food. It is a place where our citizens are engaged and actively involved in shaping the decisions of their representative government. It is where people’s creativity has room to be explored and shared for all to enjoy and celebrate. It is where vibrant economies thrive and niche markets flourish. It is where everyone is respected and valued, and, the services people need are available, affordable, accessible and inclusive. It is also a place where the satisfaction of our present needs are sustainable, that is our needs are met without compromising likely similar needs of those in future generations.”

Goals set by the Council Plan to achieve this vision involve working towards a future that promotes:

- A vibrant city and innovative economy, with physical infrastructure that is both well maintained and appropriately regulated;

- A physical, social and economic environment that supports and enhances community health and wellbeing;

- A safe, inclusive and equitable community where all feel socially well connected, respected and valued;

- Sustainable and resilient neighbourhoods as part of achieving rapid transition to an environmentally sustainable city; and

- A thriving artistic and creative culture that supports economic prosperity and enhances social connections, sense of inclusion, pride of place, and cultural tourism.

Strategic Framework Plan

The Strategic Framework Plan sets out the general pattern for land use and development to respond to the key influences, issues affecting the municipality and opportunities that can be delivered to achieve the Strategic Vision. The purpose of the framework plan is to identify locations where specific land use and development outcomes will be supported and promoted.

Key strategic directions identified in the Strategic Framework Plan include:

- Enhanced network of activity centres, with preferred economic and land use roles;

- Distinctive and attractive strategic corridors in response to different physical contexts;

- Regionally-significant land uses to support and intensify, including La Trobe University, Melbourne Polytechnic and areas within the Emerging La Trobe Employment Cluster;

- Areas identified as strategic locations to maximise opportunities for ‘urban intensification’ through higher density building forms accommodating a range of residential and commercial uses;
- Industrial zoned areas that will provide a key employment and value- added role;
- Major landscape features to be protected and enhanced, including areas of biological significance, regionally significant recreational open space and key vistas;
- Major transport links and future priorities for transport infrastructure investment; and
- Relationships and access to key destinations in adjoining municipalities to achieve mutual benefits for the community.

Separate land use framework plans have been prepared for major land use elements identified in Clauses 21.02-21.05. These plans cumulatively form the basis of the Strategic Framework Plan.
Activity Centres

A key element in the future development vision for Darebin as places for urban intensification, taking advantage of capacity for development, existing facilities, access to employment and public transport services.

Consolidation of higher density residential uses in and around activity centres, at a scale appropriate to its role and physical context, is encouraged to support retail and commercial uses and provide a diversity of housing to meet community needs.

Structure plans provide detailed directions for land use and development for Darebin’s larger activity centres, and are implemented in this Planning Scheme through various zone, overlay and local policy controls.

Preston Central

- One of largest ‘traditional, multi-dimensional’ activity centres in northern Melbourne and a major focus for business, shopping, community, culture and recreation. Land use and development is guided by the Preston Central Structure Plan.

- Activities that maintain the regional significance of Preston Central and take advantage of opportunities for retail and residential activities in the centre at greater scale and intensity are encouraged.

Northland East Preston

- Provides a range of opportunities for retail, commercial, residential, leisure, and other commercial activities for a wide catchment. Significant urban renewal opportunity exists in large parcels of underutilised industrial and commercial land.

- A structure plan is being prepared to transition the area to a more intense employment and higher density residential precinct as part of the Emerging La Trobe Employment Cluster.

Northcote

- Provides a mix of retail, leisure, cultural, educational and other commercial activities and is a popular destination in the inner northern Melbourne region, drawing a catchment area beyond the local population.

Reservoir

- Located at the intersection of High Street, Edwardes Street, Broadway and Spring Street, fulfils a predominantly neighbourhood centre role and is dominated by the central junction of major roads and the South Morang railway line.

- The Reservoir Structure Plan seeks to elevate Reservoir’s role within Darebin’s retail hierarchy and advocates grade separation of the road and rail to create a ‘central heart’ to unify the precinct and unlock opportunities for new community, commercial and residential investment.

La Trobe University (and associated research and development facilities)

- Provides a major education, research and employment hub for the municipality and broader region. Key part of the Emerging La Trobe Employment Cluster.

- Council supports the continued development and promotion of the precinct, particularly in ways which can grow employment and enhance the university’s connection to and integration with surrounding neighbourhoods and local communities.

Neighbourhood Centres and Local Centres

- Neighbourhood centres at Fairfield, The Junction - South Preston, Tyler Street, Summerhill Village, Thornbury Village, Westgarth Village and Lancaster Gate, and 55 local centres, providing convenience retail needs of local catchments and space for small business.
Land use and development that supports local living and revitalisation is generally encouraged. This may include new shops and services, improved pedestrian links, higher-density housing in and around the centres, public realm improvements and programs to promote local purchasing.

**Strategic Corridors**

Strategic corridors formed by major road routes and adjoining land play a significant role in serving the commercial, social and residential needs of the community. Strategic planning of these areas should aim to strengthen their economic, social and residential role.

The Framework Plan identifies three general types of strategic corridors in Darebin which recognise their physical differences (transport role, width and configuration of road space, land use and subdivision pattern of surrounding development) and ongoing role:

- **Boulevard** – a wide, multi-lane thoroughfare, divided by a central median with road space along each side. Often has above-average quality landscaping and scenery.

- **Urban** – multi-lane thoroughfare generally not divided by central median, with landscaping (if any) confined to the kerbside.

- **Interface** – thoroughfare that forms the municipal boundary, with development in Darebin on one side and in an adjoining municipality on the other. Urban character, land uses and public realm treatments often vary from side of the road to another.

**High Street**

- North-south urban corridor that supports one of Melbourne’s longest retail and commercial strips. Sections of the corridor are serviced by tram and bus. Connects activity centres at Northcote, Preston Central and Reservoir.

- The High Street corridor has significant potential for intensification of retail, commercial, office, and residential uses.

** Plenty Road**

- Regional transport route, accommodating tram route 86, linking the inner metropolitan area to La Trobe University and the growth areas north of Darebin. Changes from an urban corridor environment at Preston into a wide boulevard at Reservoir/Bundoora.

- Is envisaged to accommodate a mix of commercial and higher density residential development to support more efficient and accessible public transport. This will support revitalised activity centres at The Junction – South Preston, Tyler Street, Summerhill Village and Lancaster Gate, and support La Trobe University.

**St Georges Road**

- Boulevard corridor with multiple infrastructure roles, providing transport (arterial road, tram route, regional cycling link) and metropolitan water supply and communications.

- Is envisaged to transition to a more intensive mix of uses, especially residential. The corridor will evolve and build on the strengths of each precinct’s local character and activity to enhance the sense of place and vitality of the corridor. Includes the emerging Oakover Village Activity Centre as place for mixed use renewal.

**Bell Street**

- Major east-west arterial road of regional significance and Darebin’s busiest road, providing a high exposure frontage for business and commercial uses.

- The section of Bell Street that extends through Darebin has a boulevard configuration and opportunities for streetscape enhancements to improve amenity and sense of place.

- Is envisaged to develop a greater mix of land uses, including employment and housing in various contexts, at a range of densities.
Council advocates for grade separation of the road and rail at Bell Station to address congestion on Bell Street and opportunities for transit-oriented development.

**Heidelberg Road and Mahoneys Road**

- Key east-west transport routes and interfaces to adjoining municipalities. Both corridors attract commercial activity due to frontage exposure.
- Heidelberg Road is experiencing a greater rate of change with renewal of industrial land for a mix of uses.

Further strategic work is required in these corridors.

**Strategic Redevelopment Precincts**

These are specific areas earmarked to accommodate significant levels of new development, generally at a higher intensity and density.

Strategic planning of these areas should harness the higher capacity for development and encourage new housing at a range of densities, as well as commercial and recreational uses as appropriate to service existing and emerging communities.

**The Junction – South Preston**

- Identified as a key urban renewal area transitioning from predominantly industrial land to a higher density mixed use precinct. The area is characterised by a mix of commercial, retail and industrial properties fronting Plenty Road and High Street.
- Tram service along Plenty Road, Thornbury and Bell train stations within short walk, and proximity to Preston Central and High Street Thornbury enhances the Junction’s suitability for higher density developments and opportunities for affordable housing.

**Summerhill Village**

- Identified for redevelopment and regeneration to create an improved neighbourhood centre, upgrading existing post-war retail developments, most of which are at the end of their commercial life, to a vibrant and viable modern ‘town centre’ layout and form.
- Redevelopment is envisaged to include greater integration of land uses, and intensification of urban form with new housing opportunities. Increased residential activity in the precinct will support and complement the neighbourhood centre retail role.

**Oakover Village**

- Identified as an emerging new neighbourhood centre, centred around the St Georges Road Strategic Corridor.
- Council envisages a coordinated and staged redevelopment of several key sites to create a high-amenity urban village, with new commercial opportunities and higher density residential development. This leverages the locational advantages of the precinct in relation to public transport (train and tram routes), and local facilities such as Ray Bramham Gardens and the Northern Metropolitan Institute of Melbourne Polytechnic Preston Campus.

**Objectives, Strategies and Implementation**

The land use planning vision for Darebin will aim to balance response to issues and influences affecting the municipality as described in Clause 21.01 with representation of community values and goals, and broader municipal social, environmental and economic goals such as those in the Council Plan.

However, the vision for the purposes of this Municipal Strategic Statement must remain focussed on matters that can be achieved through land use planning, and be consistent with the objectives and strategies of the State Planning Policy Framework.
The following land use planning vision is expressed under four interrelated key land use elements – Environment, Housing, Economic Development and Transport and Infrastructure – reflecting the key issues facing the municipality. The key elements provide a basis for more detailed objectives, strategies and implementation measures set out in Clauses 21.02-21.05. Each element has been divided into the following sections:

**Overview**
Provides a context and discussion of how issues have been addressed.

**Objectives**
The general aims or ambitions for the future use and development of an area responding to key issues identified, i.e. What Council wants to achieve

**Strategies**
The process by which the current situation will be moved towards its desired future to meet the objectives, i.e. How Council will achieve the objectives

**Implementation**
The means by which the strategies will be implemented.

The Implementation section has been divided into four parts

- **Policy Guidelines**
The means of implementing strategies by use of local policies and the exercise of discretion in decision making under the planning scheme.

- **Application of zones and overlays**
The means of implementing strategies through the application of zones, overlays and their accompanying schedules.

- **Further strategic work**
The means of implementing strategies through further strategic work.

- **Other actions**
The means of implementing strategies through other actions of Council.

All objectives, strategies and means of implementation must be read in context with those contained in the other elements and the other relevant sections of the scheme.

There are many objectives that may fall into more than one element, however each has been included in the most relevant element to avoid repetition.
ENVIRONMENT

This Clause provides local content to support Clause 11.03 (Open Space), Clause 12 (Environmental and Landscape Values), Clause 13 (Environmental Risks), Clause 14 (Natural Resource Management) and Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Strategic Environment Framework

‘The environment’ encompasses all the circumstances, objects or conditions that surround us as we live, work and recreate – from the climate, soil, water and other living things to open spaces, buildings, and urban streetscapes. In land use planning, ‘natural’ and ‘built’ environments are generally distinguished separately as they are in the objectives. However, they are interconnected in how they interface and collectively contribute to the experience of life in Darebin. Council supports an approach to natural and built environments that:

- Protects and enhances natural environmental assets, in particular creek and habitat corridors, and manages visual and physical impacts from land use and development in a way that does not preclude accessibility and, where appropriate, the physical and visual integration between urban and natural environments.
- Promotes urban environments and open spaces designed for liveability and environmental sustainability, and making a positive contribution to the health and wellbeing of Darebin residents, workers and visitors.
- Recognises and protects areas and sites of natural, cultural and built heritage value.

Objectives and strategies for these are set out in the clauses below.

Natural Environment

Overview

Areas of natural environmental significance in Darebin include native grasslands at Central Creek Reservoir and Cherry Street Macleod; two major creek systems (Merri and Darebin); significant remnant vegetation (River Red Gums at Mount Cooper and Bundoora Park); and native habitat forest (Gresswell Forest and Hill, and La Trobe Wildlife Sanctuary) which also support significant native animal species.

The Merri and Darebin Creeks, Gresswell Habitat Link and Hurstbridge Rail Reserve provide a cohesive network of natural spaces and corridors. Appropriate landscape and water management on land adjoining this network can contribute to the protection of these habitats. Additionally, areas around Darebin and Merri Creeks that are popular for recreation, cycling and walking require planning to ensure they are safe spaces to access.

Refer to the Strategic Framework Plan at Clause 21.01-6 showing areas of natural environment significance.

Key Issues

- Protection of remnant natural areas in Darebin from the impacts of development.
- Pressure for redevelopment of residential creek-side lots.
- Impact of industrial development on creek-side environs with regard to location of storage areas, car parking and design of the built form.
- Maintaining long term protection of remnant native vegetation in estates such as Springthorpe in Macleod and Mt. Cooper and Lancaster Gate in Bundoora.
- Impacts of land use activities on local and regional waterways through substances released into the stormwater system, run-off from roads, and litter.
- Maintaining a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks.
- Balancing the need for preserving a natural landscape feel with the need for passive surveillance at interfaces between natural and built environments.

**Objective 1 – Protect and Enhance**

To protect, maintain and enhance Darebin’s natural environment including the major creek systems.

**Strategies**

- Ensure that remnant vegetation is identified and conserved.
- Ensure that places and areas of natural heritage significance are conserved and enhanced.
- Encourage the use of indigenous vegetation and planting on private and public land to increase biodiversity.
- Manage landscapes in ways that contribute to the creation of a more ecologically sustainable natural environment.
- Ensure development of urban areas maintains or improves river and wetland health, waterway protection and flood plain health through appropriate stormwater and overland flow management and integrated water management planning of precincts.
- Provide for a consistent and coordinated planning approach to protect, maintain and enhance the natural, landscape, cultural and built character of the Darebin and Merri Creek environs.

**Objective 2 – Interfaces**

To achieve a balance between the protection of the natural environment and the safety and surveillance objectives of recreational users of public open space.

**Strategies**

- Ensure that land use and development is compatible and appropriately integrated with areas of natural heritage and environmental significance.
- Ensure that development adjacent to the Darebin and Merri Creeks retains and enhances each creek’s unique contribution to the community and wider ecology.
- Balance the need to ensure the aesthetic impact of development adjacent to creeks is sensitive to existing creek environs, view lines and landscape works with the need to provide passive surveillance over creek-side environs, particularly around access points to public land and along pedestrian and cycling pathways.
- Consider fencing strategies for development adjacent to parks and reserves, which ensures fencing not only defines the transition from public to private realm but promotes good surveillance.
- Ensure development of private land adjoining the perimeter of Bundoora Park is designed and orientated to provide frontage to the park and avoid high fencing and expanses of wall at the park interface. Development should provide visual and physical connections to the park (via active frontages with appropriate land uses at ground level, pedestrian paths and links, and windows, terraces/balconies orientated to overlook the park) wherever possible.

**Implementation**

The strategies in relation to natural environment will be implemented through the planning scheme as follows:
Policy Guidelines

Apply Clause 22.03 Darebin Creek – Adjacent Land Design and Development in considering applications for development or subdivision of land adjacent to Darebin Creek.

Application of Zones and Overlays

- Apply the Public Conservation and Resource Zone over the Gresswell Habitat Link, Gresswell Forest Nature Conservation Reserve and Central Creek Grasslands.
- Apply Vegetation Protection Overlays to provide for the long term preservation of significant vegetation on the Mount Cooper, Springthorpe and Lancaster Gate Estates and the former Kingsbury Centre.
- Apply Environmental Significance Overlays to protect remnant vegetation sites and other areas of identified environmental significance.
- Apply Design and Development Overlays over private and public land adjacent to the Darebin and Merri Creeks to manage the impact of development on and provide appropriate interfaces with creek-side areas.
- Apply the Urban Floodway Zone and Land Subject to Inundation Overlay provisions as appropriate around waterways to minimise flood-related soil erosion, sedimentation and silting and to protect water quality.

Further Strategic Work

- Review the application of the Urban Floodway Zone along parts of the Merri, Darebin and Edgars Creeks.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Review the Development Guidelines for Merri Creek (Merri Creek Management Committee, 2004) to inform preparation of a Design and Development Overlay for land adjacent to Merri Creek.
- Include an integrated water management plan and ecological improvement initiatives for Darebin Creek in the formulation of the Northland Structure Plan.

Reference Documents

- Bundoora Park Master Plan 2012
- Central Creek Grassland 5 Year Management Plan 2011-2016
- Darebin Creek, Design and Development Guidelines, City of Darebin, 2000
- Darebin Litter Plan 2011-2013
- Development Contributions Plan
- Development Guidelines for Merri Creek, Merri Creek Management Committee, 2004
- Lower Darebin Creek Concept Plan, Parks Victoria/Melbourne Water, 1996
- Merri Creek and Environs Strategy 2009-2014, Merri Creek Management Committee, 2009
- Springthorpe Conservation Plan, February 2001
- Springthorpe Tree Conservation Plans
Built Environment

Overview
The design and quality of the built environment, including buildings, public spaces, infrastructure and streetscapes plays an important role in enhancing civic pride, liveability and social connectedness, and provides opportunities for creating a more sustainable city.

Good urban design acknowledges the collective impact of development both within and beyond the boundaries of individual sites and enables positive outcomes for the public realm that enhance people’s wellbeing and experience of the built environment.

Darebin City Council is committed to environmental sustainability and actively encourages sustainably-designed buildings that reduce energy consumption and water use, encourage recycling and sustainable transport and that use recycled and sustainable materials.

Key Issues

- Achieving high-quality design in development across a variety of urban environments, including activity centres and industrial/employment precincts.

- Impacts of large-scale development on streetscape amenity and pedestrian experience, and increased reliance on the public realm in providing visual appeal and amenity.

- How design might improve the interface and interaction of new developments with the public realm (including parks and open spaces).

- Incorporating Environmentally Sustainable Design (ESD) principles in the design and development of built environments and strengthening requirements at planning permit stage.

- Striking a balance between the understandable need for businesses to advertise and community expectations for an environment devoid of unattractive visual clutter.

Objective 1 – Urban Design Excellence
To ensure development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.

Strategies

- Encourage high quality design and buildings that respond to characteristics of the locality.

- Develop and implement detailed design guidelines for areas where substantial housing change and growth is encouraged.

- Ensure that important public views and vistas, where identified in a strategy or guideline adopted by Council, are recognised, protected and enhanced.

- Apply urban design principles when developing structure plans, land use strategies, and urban design guidelines.

- Promote land use and development in activity centres, strategic corridors and strategic development precincts in accordance with adopted Structure Plans, precinct plans or strategies.

- Ensure development in activity centres, strategic corridors and strategic development precincts:
  - is responsive to its environment with a high quality appearance
  - promotes an urban scale and character that is appropriate to the role and function of the activity centre or strategic corridor precinct
- encourages consolidation of commercial areas along strategic corridors to create strong, vibrant hubs to serve the local community
- manages negative off-site impacts and interface issues with surrounding sensitive land uses
- promotes visual and physical improvements to the public realm
- encourages a safe and accessible environment for pedestrians, cyclists, public transport users and motorists.

- Ensure that development in industrial and commercial areas:
  - achieves a high standard of building design and provides for suitable landscaping and treatments to improve the visual character, function and layout of such areas
  - minimises the impact of traffic, noise and emissions from industrial land uses on the amenity of surrounding residential areas
  - reduces and minimises conflict between industrial and non-industrial land uses.

- Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged.
- Collect development contributions from private development for streetscape upgrades.
- Undertake streetscape upgrades to Edwardes Street, Broadway and other streets in Reservoir Activity Centre.

**Objective 2 – Safe Urban Environments**

To promote safety through well-designed and well-maintained urban environments.

**Strategies**

- Encourage designs that incorporate elements that promote safety, such as clear sightlines, safe movement, passive surveillance, good connections, good access, mixed use and activities that promote public use.
- Ensure that public spaces, access routes and areas in the vicinity are attractive, safe, uncluttered and work effectively for all.
- Ensure new retail and/or mixed use development incorporates verandahs over footpaths where appropriate.
- Ensure that buildings at ground level provide active frontages and a high level of pedestrian amenity.
- Encourage day and evening activity in activity centres, other precincts and key development.
- Consider the above strategies in assessments and when developing strategies and urban design guidelines.

**Objective 3 – Environmentally Sustainable Design**

To promote and facilitate development that incorporates best practice environmentally sustainable design and promotes sustainable living and business practices.

**Strategies**

- Encourage the adaptive reuse of buildings to reduce the amount of waste going to landfill.
- Encourage the design of new and retrofitted buildings and public spaces to incorporate high standards of energy efficient design, water sensitive urban design, sustainable transportation, waste reduction and protection of biodiversity.
- Promote the integration of land use and sustainable transport (walking, cycling and public transport) in accordance with the strategies in Clause 21.05-1.
Objective 4 - Signage
To ensure signage is integrated into development and streetscapes.

Strategies
- Minimise visual clutter and prevent the proliferation of signs, particularly along major gateways, road reservations, commercial/retail areas and industrial estates.
- Ensure that outdoor signage presents a coordinated and high quality image.
- Ensure outdoor signage is located on the land to which it relates.
- Encourage simple, clear, consistent and non-repetitive advertising that is displayed in appropriate locations and planned as an overall signage package for a site.
- Ensure outdoor advertising is appropriate with regard to the architectural design of buildings on which signs are displayed.
- Incorporate outdoor advertising into the design of new buildings and major renovations and ensure signage is planned for at the beginning rather than at the end of development.

Implementation
The strategies in relation to built environment will be implemented through the planning scheme as follows:

Policy Guidelines
- Apply Clause 22.01 Junction Framework Plan in considering applications for use and development in the Junction Strategic Development Precinct.
- Apply Clause 22.04 Industrial and Commercial Activity in considering applications for use and development in the Industrial 1, Industrial 3 and Commercial 2 Zones.
- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for use and development in the High Street corridor.
- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.
- Apply Clause 22.08 Northcote Activity Centre in considering applications for use and development in the Northcote Activity Centre.
- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays
- Apply the Activity Centre Zone to activity centres, incorporating urban design frameworks and guidelines.
- Apply the Design and Development Overlay to ensure that key public views and vistas are protected and enhanced.
Apply the Design and Development Overlay to sites and precincts to achieve specific desired built form outcomes, design principles and treatment of interfaces (as required by structure plans, strategies, or site studies).

Apply Design and Development Overlays along strategic corridors to achieve high quality development in accordance with relevant urban design frameworks.

Apply the Development Plan Overlay to strategic redevelopment sites and precincts.

Further Strategic Work

Develop an Environmentally Sustainable Development Strategy that will:

- establish a framework to coordinate the various environmental policies of Council and provide strategic directions for energy efficiency, waste management and integrated water management
- set design guidelines for achieving sustainable development that minimises energy and water consumption and encourages reuse of water and waste; and
- provide the basis for other planning measures such as overlays for achieving sustainable development at both site and precinct scale.

Prepare and implement Urban Design Frameworks and guidelines for development in:

- Northland Activity Centre
- Reservoir Activity Centre
- Fairfield Village and Miller-on-Gilbert Neighbourhood Centres
- Heidelberg Road Corridor
- The Junction – South Preston and Oakover Village Strategic Redevelopment Precincts.

Review the Preston Structure Plan 2006 (as amended) and Northcote Structure Plan (2007) to ensure the strategic directions in these plans address contemporary issues and reflect the broader strategic vision for municipal growth and change.

Review the High Street Urban Design Framework (2005) and implement Design and Development Overlay controls for intermodal areas of High Street.

Review the Bell Street Corridor Strategy (2006) and implement Design and Development Overlay controls to encourage high quality development along the Bell Street Corridor.

Identify important public views and vistas in the municipality.

Explore opportunities to incorporate public art elements in high profile developments.

Identify and support the delivery of streetscape upgrades in Substantial Housing Change areas.

Reference Documents

Bell Street Corridor Strategy, Hansen Partnership, 2006
Climate Change and Peak Oil Adaptation Plan, 2009
Community Climate Change Action Plan 2009-2020
Community Health and Wellbeing Plan 2009-2013
Darebin Community Safety Strategy 2012-2016
Darebin Housing Strategy 2013 (revised 2015)
Darebin Waste and Litter Strategy 2015-2025
Green Streets Strategy 2013
High Street Urban Design Framework and High Street Study Precinct Guidelines, 2005
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Plenty Road Integrated Land Use and Transport Study, 2013
Preston Central Structure Plan 2006 (as amended) and Urban Design Framework and Guidelines, 2006
Reservoir Structure Plan, 2012
Residential Built Form Guidelines, 2014
Safer Design Guidelines for Victoria, 2005
Urban Design Charter for Victoria, 2010
Urban Design Framework 2015 St Georges Road and Plenty Road Corridors
Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025
Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025

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Heritage

Overview
Darebin municipality’s rich and diverse natural heritage and history of human settlement, from pre-contact inhabitation, through European colonisation to the modern era, has created a heritage fabric characterised by many layers and types of significance.

The extensive stock of older buildings can provide opportunities for redevelopment that demonstrate principles of cultural and ecological sustainability, possibly through adaptive reuse, urban design and architectural excellence. Some heritage places have the potential to increase and enhance local and regional tourism opportunities.

Key Issues
- Providing a balance between conservation needs and capacity for new infill development within heritage precincts to deliver a good design outcome.
- Balancing diversity of experience and conservation of biodiversity values around natural heritage assets.

Objective 1 – Heritage Places and Areas
To ensure that places and areas of cultural and natural heritage significance are conserved and enhanced.

Strategies
- Encourage the retention of any significant original fabric in development proposals.
- Discourage demolition or relocation of locally significant heritage buildings.
- Encourage appropriate use of heritage places in keeping with heritage significance.
- Identify and protect sites of identified Aboriginal cultural heritage significance.
- Identify and protect sites of natural heritage significance.

Objective 2 – Development and Heritage
To promote sympathetic infill and redevelopment of heritage places and areas.
Strategies
- Ensure development within heritage areas is sympathetic with the heritage character of the area.
- Ensure that redevelopment of heritage buildings and areas is visually compatible with existing forms.
- Promote innovative responses that makes a positive contribution to the heritage places and areas.
- Facilitate designs that are sensitive to heritage and urban character.
- Require conservation management plans for key sites prior to approval and commencement of works.

Implementation
The strategies in relation to heritage will be implemented through the planning scheme as follows:

Application of Zones and Overlays
- Apply the Heritage Overlay to places of local, regional, State or national heritage significance.
- Apply the Environmental Significance Overlay to places of natural heritage significance and culturally significant landscapes, trees and/or vegetation.

Further Strategic Work
- Review the Darebin Heritage Strategy, which should include the development of design guidelines on demolition and redevelopment of heritage places, and provide the strategic basis for development of a local policy to guide decision making.
- Prepare a Natural Heritage Study to identify sites of natural heritage significance and form strategies for ongoing conservation and management.

Reference Documents:
City of Darebin Heritage Study: Volume 3, Key Findings & Recommendations, 2008
City of Darebin Heritage Study: Volume 4a, Preston Central Heritage Assessment, Key Findings and Recommendations, 2008
City of Darebin Heritage Study, Volume 4b, Preston Central Heritage Place Citations, 2008
Darebin Heritage Review Volumes 1, 2, & 3, 2002
Darebin Housing Strategy 2013 (revised 2015)
City of Darebin Citations for Individually Significant Buildings, 1996

Open Space
Overview
Access to and enjoyment of open space is a key contributor to quality of life and local amenity. Council aims to improve the quality of open space and encourage the use and development of waterways and linkages. Priorities for managing open space are guided by the Darebin Open Space Strategy 2007-2017, which identifies and categorises open spaces by state down to local role, and the range of functions each space should fulfil.

Key Issues
- Darebin is a developed municipality with limited opportunities for creating additional open space. Existing open space is highly valued by the community.
- Provision of sufficient open space, particularly in higher density living precincts where there is higher reliance on for communal facilities for outdoor activities and recreation.

**Objective**
To provide a safe, accessible and high quality open space network that is equitably distributed across the municipality.

**Strategies**
- Encourage opportunities for public and communal open spaces adjacent to the creek environs.
- Protect and enhance existing open spaces where possible.
- Encourage linear open space linkages along waterways including pedestrian and bicycle access.
- Include provision for acquisition and improvement of open space in Development Contributions Plans.
- Consider opportunities for ‘greening’ in areas of higher density development, including alternative to traditional ground level landscaping e.g. green roofs and walls.

**Implementation**
The strategies will be implemented through the planning scheme as follows:

**Application of Zones and Overlays**
- Apply the Public Park and Recreation Zone to all municipal reserves.
- Apply the Public Conservation and Resource Zone to undeveloped municipal reserves which contain significant levels of indigenous vegetation or high biodiversity values.
- Apply the Heritage Overlay to open space of recognised cultural and social heritage value.

**Further Strategic Work**
- Review and rezone public open space in accordance with relevant strategies.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Undertake an assessment of the heritage significance of the City’s older reserves as a basis for conservation planning and management, including Oldis Gardens, Johnson Park, LW Williams Reserve, JS Grey Reserve, Adam Reserve, Batman Park, Penders Park and AG Davis Reserve.

**Reference Documents**
Bundoora Park Precinct Master Plan, 2012
Development Contributions Plan
Leisure Strategy 2010-2020
Playspace Strategy 2010-2020

**Environmental Risk**

**Overview**
Environmental risk in land use planning encompasses a broad range of issues, including the efficient management and protection of natural resources, dealing with contaminated land and developing resilience to impacts of climate change and peak oil.
Key Issues

- Consideration in planning strategies and permit assessments about potential environmental risks, such as land contamination, noise and air pollution, as well as the impacts of climate change including flooding, soil erosion, wildfire and heatwaves.

- Efficient management and protection of natural resources and ensuring risks of contamination, soil erosion, oil spill and industrial runoff into water bodies are considered in assessments.

Objective

To ensure appropriate development in areas prone to environmental risk.

Strategies

- Require assessment of environmental risk, and as appropriate require environmental audits be undertaken, where a sensitive use is proposed on potentially contaminated land.

- Assess risk prior to development in flood prone areas, in accordance with relevant flood management plans.

Implementation

The strategies in relation to environmental risk will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Environmental Audit Overlay to potentially contaminated land that may be used for sensitive uses in accordance with the requirements of Ministerial Direction No.1 – Potentially Contaminated Land.

- Apply the Special Building Overlay to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

Further Strategic Work

- Compile a register of non-conforming industrial sites for which a change to a sensitive land use is likely, with a view to applying the Environmental Audit Overlay.

- Develop a local planning policy for consideration of use or development of land which has potential for contamination to ensure proposed uses and developments are suitable, and require remediation of contaminated land to a level that is compatible with the desired future uses of the site.

Reference Documents

Climate Change and Peak Oil Adaptation Plan, 2009

Ministerial Direction No.1 – Potentially Contaminated Land

Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025

Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025
This Clause provides local content to support Clause 11 (Settlement) and Clause 16 (Housing) of the State Planning Policy Framework.

Strategic Housing Framework
Council recognises that housing is fundamental to wellbeing, standard of living and quality of life. Housing is more than just the physical dwelling; it is also about environments, people and places where citizens want to live and become involved in the community. Darebin is undergoing strong population growth and significant demographic change. This places considerable pressure on existing housing and requires careful consideration of where additional housing growth can best be accommodated.

Council supports a vision of housing that:

- Balances the needs of current as well as future residents
- Is affordable, equitable and accessible for all residents
- Exhibits best practice environmental design and urban design excellence
- Is appropriate to its location
- Is considerate of its context
- Provides for diverse housing needs and preferences.

Objectives, strategies and policy guidelines to achieve the strategic vision for housing are outlined in the clauses below.

**Strategic Housing Framework Plan**

The Strategic Housing Framework Plan illustrates the directions for residential land use and development in Darebin as set by the *Darebin Housing Strategy 2013 (Revised 2015)*. This framework provides greater certainty as to where growth and change can be expected and the preferred scope of housing change in terms of the intensity and type of residential development to be encouraged in different areas.

The framework plan identifies activity centres, and strategic corridors and redevelopment precincts such as The Junction – South Preston, High Street, Plenty Road, St Georges Road, Bell Street and areas within the La Trobe National Employment Cluster as having the capacity to accommodate residential uses at a range of densities.

The framework plan also identifies three Housing Change Areas, which apply to all land in the municipality that currently has a zoning that permits residential uses. These housing change areas are:

**Minimal Housing Change**

*Residential areas that have a limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow a modest level of development that respects the type, scale and character of the area. Minimal Change Areas are sites and precincts that generally display one or more of the following characteristics:*

- Are Heritage Overlay precincts
- Are identified in the *Darebin Neighbourhood Character Study (2007)* as ‘potential Neighbourhood Character Overlay areas’
- Have a highly intact pattern of subdivision in favour of detached dwellings on individual lots, generally evidenced by more than 80 per cent of housing stock having this attribute
- Have a strong neighbourhood character, evidenced by a high degree of consistency in architectural style and streetscape, in particular where 80 per cent or more of the housing stock is consistent with precinct descriptions in the *Darebin Neighbourhood Character Study (2007)*, and where restoration of original housing stock is prevalent
- Have identified environmental or landscape significance, including land with frontage to Creek bodies
- Excluding heritage precincts, are located:
- outside an 800 metre walkable catchment of an activity centre
- generally outside an 800 metre walkable catchment of train, tram or SmartBus services.

**Incremental Housing Change**

Residential and commercial areas that have the capacity to accommodate a moderate level of residential development over time. It is expected that the general character of Incremental Change Areas will evolve over time as new yet modest types of development are accommodated. Incremental Change Areas generally display one or more of the following characteristics:

- A diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. Typically areas include some medium density and small apartment development, but the predominant dwelling stock is single to double storey dwellings.

- Have some stand-alone or small clusters of heritage sites, including along strategic corridors, however are generally unaffected by extensive heritage recognition.

- Are located:
  - within an 800 metre walkable catchment of an activity centre
  - generally within an 800 metre walkable catchment of train, tram or SmartBus services.

Certain Incremental Housing Change areas should only be considered suitable for limited scale and density of residential development. These are areas which:

- Are generally outside of an 800 metre walkable catchment to an activity centre, train station, tram route or SmartBus route.

- Have experienced a modest degree of infill residential development which precludes their classification as minimal change areas.

**Substantial Housing Change**

Residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future.

Substantial Change Areas generally display one or more of the following characteristics:

- Have an evolving character where there is an eclectic mix of new and old forms of architectural style and housing typologies. This includes more recent apartment developments at higher densities and in mixed-use formats.

- Are identified locations for increased residential densities to support economic investment and growth in the La Trobe National Employment Cluster.

- Are within or immediately adjacent to activity centres that possess superior access to the Principal Public Transport Network.

- Have a frontage to a strategic corridor.

- Are generally within 400 metres of a train station or tram route.

The scale and intensity of residential growth will differ across Substantial Change Areas depending on their strategic capacity to accommodate municipal growth and future housing needs as described at Clause 21.01-6. Generally, residential growth in Darebin adheres to the following hierarchy:

- Preston Central and Northland East Preston Activity Centres
- Reservoir and Northcote Activity Centres
- Neighbourhood Centres
- Strategic Corridors including Plenty Road and St Georges Road
- Other substantial change areas as identified in the Strategic Housing Framework Plan.

**Strategic Opportunity Sites**

Strategic Opportunity Sites are sites that possess the following characteristics that make them suitable for residential and/or mixed use redevelopment at increased densities:

- Over 1000sqm in lot size
- In a zone that permits residential use
- Not constrained by a Heritage Overlay and/or Minimal Housing Change Area
- Displaying one or more of the following favourable locational criteria:
  - within 500 metres of train station
  - within 400 metres of tram route
  - fronting a strategic corridor (High St, Bell St, Plenty Rd, St Georges Rd)
  - within a designated activity centre.

Strategic opportunity sites are not indicated on the framework plan. An indicative list of sites is provided in the *Darebin Housing Strategy 2013 (Revised 2015)*. It is envisaged that in addition to these sites, future sites that fulfil the above criteria can be identified and classified as Strategic Opportunity Sites.

**Housing Development**

**Overview**

Population growth and demographic trends in Darebin are driving down average household size, increasing demand for additional housing and requiring different types and sizes of housing. With land constraints and a decline in the supply of vacant land across Darebin, housing demand will need to be met through intensification of existing urban areas. Housing development opportunities exist in and around activity centres, strategic corridors and strategic redevelopment precincts, near public transport, close to employment and services and on strategic opportunity sites identified in the *Darebin Housing Strategy 2013 (Revised 2015)*. By identifying these key locations suitable for more substantial growth and change, areas of special heritage, character and environmental qualities can be conserved, with minimal levels of change. In residential areas, there is also a need to accept and accommodate some non-residential activities at appropriate scale and format to service the needs of the local community.

**Key Issues**

- Population growth projections for 2011-2031 estimate an additional 30,300 new residents will call Darebin home; around 1517 new residents each year. This is expected to generate demand for approximately 13,600 additional dwellings over the next 20 years.
- Ageing of the population and a trend toward fewer people in each dwelling will place considerable pressure on existing housing.
- Vacant land has become relatively scarce in Darebin, declining from 1087 lots in 2004 to 623 lots in 2013. Infill redevelopment of existing lots and brownfield redevelopment are likely to be the primary area for accommodating future housing growth in Darebin.
- Challenge is accommodating the required increase in dwellings in locations with good public transport access, while conserving and enhancing the valued character and heritage qualities of residential areas.
- Housing in suitable locations proximate to public transport will reduce car dependency and promote more walking and cycling and contribute to better health and wellbeing.

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Challenge in ensuring where housing development opportunities can be maximised, that this does not come at the expense of amenity, safety, accessibility and connectivity in and around those places.

As population increases along with demand for services, there is a need to achieve a balance between wider community benefit and potential amenity impacts of non-residential uses in residential areas.

**Objective 1 – Housing Provision**

To facilitate housing development that has an appropriate scale and intensity in locations across the municipality.

**Strategies**

- Encourage housing development in accordance with the Strategic Housing Framework Plan as follows:
  - In Minimal Housing Change Areas, encourage housing development that is consistent with the type, scale, style and prevailing character of the area and allows for minimal housing growth and change over time
  - In Incremental Housing Change Areas, encourage housing development and diversity that is generally consistent with the character of the area and responsive to varying local conditions, allowing for moderate housing growth and diversification over time
  - In Substantial Housing Change Areas, encourage a variety of housing typologies at increased densities and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan or adopted policy of Council, and generally in accordance with the hierarchy of residential growth identified at Clause 21.03-1
  - On Strategic Opportunity Sites, encourage housing development at increased densities and discourage underdevelopment, with the scale and style of development responsive to location and context.

- Ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal Change Areas, provides a sensitive transition, with particular consideration given to:
  - Design and layout which avoids unreasonable amenity impacts on adjoining sensitive residential interfaces due to overshadowing, loss of privacy and unreasonable visual intrusion
  - Site orientation, layout and topography in determining the appropriate built form envelope and in assessing the impact of proposed development on adjoining amenity
  - Sympathetic response to the identified values of any adjoining heritage overlays.

**Objective 2 – Housing density**

To achieve higher density housing outcomes in identified locations to accommodate Darebin’s projected population growth.

**Strategies**

- Support a diversity of housing types, sizes, designs and configurations and support redevelopment at higher overall densities in Substantial Housing Change Areas and on Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.

- Discourage underdevelopment of areas that are identified as Substantial Housing Change Areas and on Strategic Opportunity Sites.

- Encourage lot consolidation in Substantial Housing Change Areas, to facilitate increased densities, efficient use of land and to facilitate sustainable design outcomes.
• Support low scale medium density housing development that respects existing neighbourhood character in Incremental Housing Change Areas, particularly in areas that are in proximity to shops, facilities, services and transport.

• Encourage housing development in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres in accordance with Structure Plans and related zone and overlay provisions in this Planning Scheme.

• Encourage intensive and innovative housing development to locate within or in proximity to activity centres and in strategic redevelopment precincts such as The Junction – South Preston, Summerhill Village and Oakover Village, in accordance with adopted Structure Plans and precinct plans.

• Encourage apartment development in the Northland residential neighbourhood precinct which extends from Murray Road in the Northland East Preston Activity Centre to (and including) Summerhill Road and between the Albert Street corridor and the Darebin Creek.

• Encourage new housing near retail and employment precincts and above ground floor level within these precincts.

• Encourage greater housing densities and mixed use development along High Street, Plenty Road, St Georges Road and Bell Street.

• Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings that contribute to the distinctiveness and positive image of Darebin.

• Ensure new housing is located so as to allow pedestrian access to local services, employment and facilities, including commercial areas.

Objective 3 – Residential Amenity

To facilitate residential and mixed use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents.

Strategies

• Require a high standard of design (including architectural quality and environmentally sustainable design) be achieved in residential and mixed use developments through the use of design and development overlays, urban design frameworks, development plans and local policies as appropriate.

• Ensure non-residential use and developments in residential zones are designed to minimise negative amenity impacts on the surrounding residential neighbourhood.

• Ensure mixed use developments are designed to provide adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable negative amenity impacts on surrounding residential uses.

• Ensure that housing development within and adjoining retail and employment areas is designed to minimise the potential for conflict between commercial and residential uses, including noise and operational considerations.

• Support the consolidation of retail and employment activities within activity centres.

Implementation

The strategies in relation to Housing Development will be implemented through:

Policy Guidelines

• Apply Clause 22.01 Junction Framework Plan in considering applications for housing in the Junction Strategic Redevelopment Precinct.
- Apply Clause 22.02 Neighbourhood Character in considering an application for development and works on residential zoned land in Incremental and Minimal Change Areas covered by Neighbourhood Character Precinct Plan.

- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for residential development in the High Street Strategic Corridor, with the exception of the Northcote Activity Centre Local Policy Area.

- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.

- Apply Clause 22.08 Northcote Activity Centre in considering applications for residential development in the Northcote Activity Centre.

- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.

- Apply Clause 22.10 Bell Street Land Use in considering applications for residential and mixed use along the Bell Street Strategic Corridor.

- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays

**Minimal Housing Change**

- Apply the Neighbourhood Residential Zone (NRZ) to land within Minimal Housing Change Areas, as identified in the Strategic Housing Framework Plan.

**Incremental Housing Change**

- Apply the General Residential Zone (GRZ) to residential land within Incremental Housing Change Areas, as identified in the Strategic Housing Framework Plan.

- Utilise the Schedule to the GRZ to vary requirements of Clauses 54 and 55 to encourage a lower scale and density of development in Incremental Change Areas that have reduced access to activity centres and public transport services.

**Substantial Housing Change**

- Apply the Priority Development Zone to the Preston Activity Centre to facilitate housing and mixed use development opportunities in accordance with the Preston Central Structure Plan.

- Apply the Commercial 1 Zone to business zoned land within Substantial Housing Change Areas, to provide for commercial, retail, business, entertainment and community uses as well as residential development complimentary to the role and scale of the commercial setting.

- Apply the Mixed Use zone (MUZ) to residential land within Substantial Housing Change Areas, which are within or close to commercial areas, activity centres and strategic corridors and precincts that are suited to a mix of residential development and compatible with commercial and retail activity, or where a building height of 5 more storeys is encouraged.

- Subject to appropriate built form guidelines and policies being in place, apply the Residential Growth Zone (RGZ) to residential land within Substantial Housing Change Areas, where residential uses are encouraged and a maximum preferred building height of 4 storeys is encouraged. The General Residential Zone will apply until appropriate built form guidelines and policies are in place in Substantial Change Areas.

- Apply Design and Development Overlays to land fronting the High Street, St Georges Road and Plenty Road Strategic Corridors to ensure new development achieves a desired scale of change and is sufficiently responsive to site context, transport conditions and any sensitive interfaces with other residential land and to ensure redevelopment in accordance with the High Street, St Georges Road and Plenty Road Urban Design Frameworks.
Apply Design and Development Overlays to key Residential Growth Zone precincts in Reservoir, around Northland Activity Centre in the La Trobe National Employment Cluster and in Station Street Fairfield to ensure high quality residential development outcomes which achieve a cohesive desired scale of change across a variety of site conditions and are sufficiently responsive to precinct specific requirements.

Further Strategic Work

- Review Council’s *Neighbourhood Character Study (2007)* and revise precinct areas and guidelines in accordance with the recommendations of the Darebin Housing Strategy and with a view to investigating the merits of the application of the Neighbourhood Residential Zone in identified “Potential Minimal Housing Change Areas”.

- Investigate the merits of the application of the Residential Growth Zone in identified “Potential Future Substantial Housing Change Areas” and the preparation of appropriate built form guidelines and policies.

- Investigate the most appropriate suite of planning controls to achieve the desired outcomes on Strategic Opportunity Sites identified in the *Darebin Housing Strategy 2013 (Revised 2015)*.

- Develop a local policy to guide treatment of heritage places in Substantial Change Areas and to guide decisions regarding demolition of heritage places.

- Prepare and implement a Structure Plan for Northland East Preston Activity Centre.

- Prepare and implement Urban Design Frameworks and guidelines for development in:
  - Northland Activity Centre
  - Reservoir Activity Centre
  - Fairfield Village Neighbourhood Centre
  - Miller-on-Gilbert Neighbourhood Centre
  - Heidelberg Road Strategic Corridor
  - The Junction – South Preston and Oakover Village Strategic Redevelopment Precincts.

- Review the Northcote Structure Plan (2007) in accordance with the directions of the *Darebin Housing Strategy 2013 (Revised 2015)*.

- Review the Preston Central Structure Plan 2006 (as amended) in accordance with the directions of the *Darebin Housing Strategy 2013 (Revised 2015)*.

Other Actions

- Identify key indicators for monitoring housing trends.

- Review and update the municipal Development Contributions Plan Overlay and Capital Works 10 year budget to ensure ongoing efficacy to address local infrastructure needs and public realm improvements in accordance with residential growth outcomes.

- Work with utility providers to ensure residential growth trends and directions are factored into future infrastructure upgrades.

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Housing Diversity and Equity

Overview

Housing is not merely ‘accommodation’. Housing is a fundamental need and essential element of community wellbeing. Housing development therefore needs to cater to diverse needs and preferences reflective of the diversity of the Darebin community across life stages, mobility and socio-economic situation. This includes provision of suitable housing for ageing residents, students, people with limited mobility, and low income households.
Housing affordability is a particular housing issue in Darebin. Lack of affordable housing and high rental prices can aggravate housing stress and homelessness. Housing affordability, income levels and demand for social and public housing are highly correlated. An increase in the supply of affordable housing could ease housing stress of low income earners and can decrease the demand for social housing.

Darebin’s proximity to the CBD, places of study and its extensive public transport network make it an ideal location for students and opportunities exist to increase the number of dwellings along transport corridors, especially, train and tram routes, to meet student housing needs and preferences.

**Key Issues**

- A significant proportion of the population is experiencing housing affordability issues with approximately 12.4 per cent of all rented households and 8.2 per cent of mortgaged households in Darebin in 2011 experiencing housing stress or at risk of housing stress, paying approximately 30 per cent or more of their income on rent or mortgage.
- Housing affordability and housing stress is exacerbated by housing supply shortages, both municipal and metro-wide.
- Over 500 people are homeless on any given night in Darebin. The rate of homelessness is around 40 in every 10,000 residents.
- Gentrification is expected to continue to drive an increase in the number of tertiary qualified residents and household incomes, resulting in upward pressure on housing demand and housing prices.
- An ageing population requires accessible homes and timely provision of services and facilities to meet the varying needs and choices of those individuals in suitable locations.
- A shortage of affordable student accommodation close to public transport and other services and facilities has led to inappropriate accommodation arrangements such as overcrowded rooming houses.

**Objective 1 – Increase Diversity**

To ensure that housing diversity is increased to better meet the needs of the local community and reflect demographic changes and trends.

**Strategies**

- Support a diversity of housing types, sizes, designs and configurations in areas identified for Substantial Housing Change and Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.
- Promote the consolidation of lots, particularly in Substantial Housing Change areas, to enable developments that can accommodate a greater diversity of housing types.
- Encourage new residential apartment developments to include a mix of one, two and three bedroom dwellings in a variety of configurations to cater for a variety of household sizes and types.
- Encourage the development of a variety of forms of medium density housing, including villa style housing, townhouses and low scale apartment developments in appropriate locations.

**Objective 2 – Aged Care Accommodation**

To encourage the provision of accessible and appropriate housing and accommodation for elderly residents.
Strategies

- Encourage and facilitate the provision of different types of aged care accommodation and facilities in areas identified for Substantial and Incremental Housing Change in the Strategic Housing Framework Plan.

- Provide adequate standards of building access to and within multi-level developments especially for the elderly and people with limited mobility.

- Encourage the provision of housing that meets or is adaptable to meet the needs of residents with limited mobility and residents ageing in place.

- Encourage aged care accommodation to develop in locations of high accessibility including activity centres and locations with convenient access to public transport.

**Objective 3 – Student Accommodation**

To encourage the provision of appropriately located student accommodation.

**Strategies**

- Encourage and facilitate the provision of different types of student accommodation in areas identified for Substantial and Incremental Housing Change in the Strategic Housing Framework Plan.

- Encourage major educational institutions to develop on-site student accommodation.

- Encourage student accommodation in locations accessible to public transport and within walking distance to La Trobe University and Melbourne Polytechnic.

**Objective 4 – Affordable and Social Housing**

To increase the supply of affordable and social housing.

**Strategies**

- Encourage the provision of affordable housing development in identified Substantial Housing Change Areas in the Strategic Housing Framework Plan.

- Ensure housing in the municipality is sufficiently diverse to provide more affordable and appropriate choices and opportunities.

- Facilitate the provision of affordable housing in terms of purchase price as well as lower ongoing operational costs, by promoting housing growth in areas with good access to services and public transport and encouraging best practice environmentally sustainable housing design to minimise ongoing utility costs.

- Support Council-led initiatives that partner with the community housing sector to develop surplus Council land for social housing projects.

**Implementation**

The strategies in relation to housing diversity and equity will be implemented through:

**Application of Zones and Overlays**

- Apply the Residential Growth Zone (RGZ) to Residential zoned land within Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, where residential uses are encouraged and a maximum preferred building height of 4 storeys is encouraged and evidenced through a built form control.

- Apply the Mixed Use Zone (MUZ) to Residential zoned land within Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, that are within or close to commercial areas, activity centres and strategic corridors and precincts that are suited to a mix of residential development and compatible with commercial and retail activity.
Further Strategic Work

- Investigate regulatory incentives and flexible planning provisions for planning permit applications with a commitment to deliver affordable housing stock.

- Investigate incorporation of requirements for affordable and social housing as appropriate in future policies and overlay provisions (such as the Development Plan Overlay) to apply to large development sites and strategic redevelopment precincts.

Other Actions

- Undertake research into site opportunities for integrated independent units and villas that provide suitable housing options for the elderly to enable more effective ‘ageing in place’.

- Assist La Trobe University with its master planning for Bundoora campus.

- Develop Rooming House Guidelines to guide the development of Rooming and Boarding Houses in Darebin.

- Develop Student Housing Guidelines to guide the development of Student Housing in Darebin.

- Liaise with the State Government Department of Housing to encourage the timely provision of social housing in appropriate locations.

- Maintain dialogue and advocacy efforts with the relevant State Government authorities to encourage the introduction of Inclusionary Zoning through the Victorian Planning Provisions.

Character

Overview

All eras of Darebin and its growth are represented in its building and streetscapes. Neighbourhoods range from historic low scale suburban areas to more compact inner urban areas with heritage streets or contemporary apartment dwellings. Housing growth in Darebin needs to be managed in a way that is respectful of identified heritage places and places of special neighbourhood character.

The Darebin Neighbourhood Character Study (Planisphere, 2007) identifies precincts displaying similar characteristics such as building and garden style and subdivision pattern. Neighbourhood character guidelines that include a ‘preferred character statement’ have been developed for each precinct. New residential development needs to respond to the key neighbourhood character elements described in the ‘preferred character statement’.

The Darebin Neighbourhood Character Study (Planisphere, 2007) also recognises the need to provide additional dwellings to accommodate future increases in population and changing demographic structure in Darebin.

Key Issues

- Balancing the need to protect and conserve significant neighbourhood character and heritage places in the municipality with Council’s responsibility to address and facilitate housing for a growing population.

Objective - Character

To ensure that development respects neighbourhood character in residential areas identified as Minimal and Incremental Housing Change Areas in the Strategic Housing Framework Plan.

Strategies

- Recognise the varied and distinctive qualities of residential neighbourhoods in Darebin.

- Ensure Darebin’s ability to meet its housing needs in activity centres, substantial Change Areas and on Strategic Opportunity Sites is not compromised by the protection of neighbourhood character.
Implementation

The strategies in relation to character will be implemented through:

Policy Guidelines

- Apply Clause 22.02 Neighbourhood Character in considering an application for development and works on residential zoned land in Incremental and Minimal Housing Change Areas covered by Neighbourhood Character Precinct Plans.

Application of Zones and Overlays

- Apply the Neighbourhood Residential Zone (NRZ) to land within Minimal Housing Change Areas, as identified in the Strategic Housing Framework Plan, where housing change must respond to the existing scale and character.

- Apply the General Residential Zone (GRZ) to land within Incremental Housing Change Areas, as identified in the Strategic Housing Framework Plan, where housing growth and change should occur consistent with neighbourhood character.

Further Strategic Work

- Review and update Council’s *Neighbourhood Character Study (Planisphere, 2007)* and associated precincts and guidelines in accordance with the recommendations of the *Darebin Housing Strategy 2013 (Revised 2015)*.

- Remove Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, from the Neighbourhood Character Precinct Plan.

- Update the Neighbourhood Character local policy at Clause 22.02 to reflect the outcomes of the review of the *Neighbourhood Character Study (Planisphere, 2007)* and provide guidelines for exercise of discretion in assessing applications.

Reference Documents

Bell Street Corridor Strategy 2006
Darebin Active and Healthy Ageing Strategy 2011-2021
Darebin Housing Strategy 2013 (Revised 2015)
Darebin Neighbourhood Character Study, Planisphere, 2007
High Street Urban Design Framework, 2002
Northcote Activity Centre Structure Plan, 2007
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Preston Central Structure Plan 2006 (as amended) (including Incorporated Plans and Preston Central Urban Design Framework and Guidelines)
Reservoir Structure Plan, 2012
Residential Built Form Guidelines, 2014
Responding to Housing Stress: A Local Action Plan, 2010
Urban Design Framework 2015 St Georges Road and Plenty Road Corridors.
This Clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework.

**Strategic Economic Development Framework**

1. Arts DECL - Darebin Enterprise Centre
2. Northcote Town Hall
3. Darebin Arts & Entertainment Centre
4. Preston Civic Precinct
5. Preston Market
6. Reservoir Civic Centre
7. Bundoora Park, Farm and Homestead
Council recognises that increasing economic activity and promoting diversity in economic activity will provide benefits to the community. Structural changes in the national and local economy will continue the transition of Darebin’s economy from a traditional industrial base to a post-industrial base. In addition, the continued socio-economic uplift of Darebin’s neighbourhoods is driving growth in ‘lifestyle’ businesses in hospitality and entertainment services.

Council supports the transition of Darebin’s economy to one that encourages:

- a greater breadth of uses
- the development of a commercial office market
- investment in retail, institutional and hospitality sectors
- ongoing industrial uses in those areas where industry is best suited
- adaptation and re-use of non-residential land for other economic use
- conversion to mixed uses (including residential) where appropriate
- employment growth providing local jobs commensurate with population growth.

Strategic Economic Development Framework Plan

The Strategic Economic Development Framework Plan highlights the following key features of economic land use in Darebin as set by the Darebin Economic Land Use Strategy (2014):

- Three core industrial areas and one secondary industrial area to provide for industrial activity, with a focus on the wholesale trade, service industry and advanced manufacturing sectors
- A retail activity centre hierarchy that provides for a mix of retail, commercial, service and residential uses and encourages intensification of these uses within activity centres
- Commercial office sector focussed around several key mixed use redevelopment areas
- Tertiary education and health that integrates and connects with the community.

Important future economic opportunities include Northland East Preston Activity Centre and La Trobe University as key nodes in the La Trobe National Employment Cluster, and the transition of the Bell Street and Heidelberg Road Corridors as strategic regional linkages between key employment and innovation precincts.

Objectives and strategies for these are set out in the clauses below.

Industry

Overview

There will continue to be a need for industrial land in Darebin to provide for industrial uses that seek to be accommodated within the municipality and, importantly, to provide for the growing service industry sector, which is dependent on serving Darebin and the surrounding region.

Industrial land in Darebin is considered in the context of the three core industrial areas, a single secondary industrial area and a series of smaller clusters and single use sites.

Industrial land in an inner urban setting is a scarce resource and should be used in a manner that considers optimising local employment opportunities. Some industrial sites and areas occupy key strategic locations which could better fulfill a more significant role in terms of providing employment that better responds to contemporary economic trends.

Key Issues

- Challenges in ongoing viability of industrial precincts where employment is falling and there is economic pressure to rezone land for other uses.
- Challenges in protecting viable industrial areas while making land available for economic uses and, where appropriate, residential uses.
Capturing growing opportunities in advanced manufacturing, wholesale trade and services industries.

Considering alternative possibilities for under-utilised industrial land to secure local employment opportunities.

Future possibilities for industrial zoned land serving limited or no industrial purpose.

Amenity and interface issues with surrounding residents affecting the operation of industrial land.

**Objective 1 – Industrial Areas**

To retain and protect Darebin’s core industrial areas and Anderson Road secondary industrial area.

**Strategies**

- Maintain three core industrial areas at East Preston, Reservoir and Fairfield and one secondary industrial area at Anderson Road for the purposes of industrial and employment-based activities in Darebin.
- Discourage the encroachment of non-compatible business and residential uses on industrially zoned land that has been identified as part of the three industrial core areas or the Anderson Road secondary industrial area.
- Manage interfaces with surrounding residential neighbourhoods to provide adequate protection to the industrial and commercial activities.

**Objective 2 – Industrial Viability and Employment**

To strengthen the economic viability and local employment generation capacity of Darebin’s core and secondary industrial areas.

**Strategies**

- Encourage new industrial activity into core and secondary industrial areas.
- Encourage advanced manufacturing to establish within core and secondary industrial areas.
- Encourage land uses that diversify local employment opportunities in core and secondary industrial areas.
- Encourage the ongoing development of Darebin’s service industry sector.
- Discourage land uses establishing in core and secondary industrial areas that will undermine economic and employment generation capacity of the site and surroundings.
- Ensure caretakers’ dwellings in industrial zones are properly planned and appropriately located for their supervisory role to associated industrial or commercial activity. Ensure they are not developed for general residential purposes, and are sized and proportioned to clearly demonstrate they are a secondary activity to the primary commercial or industrial land use.
- Encourage consolidation of land in secondary industrial areas that can provide opportunity for major economic activities.
- Provide improved transport access to core and secondary industrial areas as expressed in the objectives and strategies in Clause 21.05-1.
- Consider the Objectives and Strategies at Clause 21.02-3 for how development in core and secondary industrial areas should improve the streetscape, amenity and environmental sustainability of these areas.

**Objective 3 – Redundant Industrial Land**

To proactively manage the transition of redundant industrial land to accommodate new uses.
Strategies

- Encourage appropriate commercial and residential uses on redundant industrial land.
- Prioritise the transition of underutilised industrial sites to provide for economic uses that provide choices in local employment.
- Rezone non-viable single use industrial sites or small clusters to enable use for commercial and/or residential purposes. Where appropriate alternative uses should include forms of economic activity.
- Encourage the revitalisation of The Junction – South Preston and Oakover Village precincts for a range of business and residential development.
- Encourage a range of supporting business, commercial and residential uses in the inter-nodal areas of High Street, Plenty Road and St Georges Road Strategic Corridors between key activity centres.
- Transition the Beavers Road Secondary Industrial Area to a mixed-use precinct and encourage ‘green businesses’ to locate in this precinct.
- Promote Darebin as a location for further public and private office development through making available suitably zoned land.

Implementation

The strategies in relation to industry will be implemented through:

Policy Guidelines

- Apply Clause 22.04 Industrial and Commercial Activity in considering applications for use and development in the Industrial 1, Industrial 3 and Commercial 2 Zones.

Application of Zones and Overlays

- Apply the Industrial 1 and Industrial 3 zone (as per current zone structures) in the three core industrial precincts at East Preston, Reservoir and Fairfield, with the following exceptions:
  - At Reservoir, in the event of departure of significant numbers of large format industrial operations in the Industrial 1 Zone, consider rezoning to Industrial 3.
  - At Reservoir, in the event the land that was formerly the Lakeside Secondary College is sold by the Department of Education, rezone the site to Industrial 3.
- Apply the Industrial 3 Zone in the Anderson Road Secondary Industrial Area.
- Rezone redundant Industrial 1 Zone and Industrial 3 Zone land to more appropriate commercial and residential zones.
- Rezone identified areas of High Street to more appropriate commercial or mixed residential zones, which support other uses.
- Apply the Environment Audit Overlay to former industrial land that is potentially contaminated.

Further Strategic Work

- Review the Northcote Structure Plan (2007) in accordance with the directions of the Darebin Housing Strategy (2013) with emphasis on the Industrial 3 Zone land around Arthurton Road and adjacent to Northcote railway station.
- As part of the Northland Structure Plan development, undertake detailed planning of the area bounded by Gower Street, Chifley Drive, Bell Street and Albert Street in East Preston to enable mixed use redevelopment with a particular focus on commercial office, community and residential uses.
- Undertake updated bulky goods floor space projections to consider rezoning land west of Albert Street in East Preston presently in the Industrial 3 Zone to the Commercial 2 Zone.

- Develop a public realm strategy to guide urban design improvements to enhance the presentation and identity of industrial areas.

- Undertake further planning work in conjunction with La Trobe University to explore how additional employment-based activities can be facilitated on surplus and land surrounding the University campus.

- Examine future land use options with adjoining Councils for Mahoney’s Road and Keon Parade in Reservoir and Heidelberg Road in Northcote, Fairfield and Alphington.

**Other Actions**

- Ensure Council continues to advocate for and facilitate advanced manufacturing firms to locate in Darebin

- Pursue ongoing dialogue with VicRoads and other relevant agencies regarding improving road access to core and secondary industrial areas.

**Reference Documents**


Darebin Economic Land Use Strategy, 2014

Green Business Attraction Strategy 2012-2015

Northcote Activity Centre Structure Plan, 2007

Plenty Road Integrated Land Use and Transport Study, 2013

**Retail and Commercial Activity**

Retail activity is a significant component of the Darebin economy. The municipality’s hierarchy of activity centres continues to evolve with several identifiable precincts such as Northland East Preston, Preston Central, Northcote and Reservoir serving the municipality’s main retail needs and others, particularly those located along Darebin’s main north-south spines, blending into a linear corridor of mixed use activity.

A key trend is the emergence of ‘lifestyle’ based retail activity and ‘café-culture’ along the city’s strategic corridors and in a number of the smaller local centres dispersed across the municipality which has resulted in the rejuvenation of small local centres and a strengthening of larger activity centres.

The commercial (office) sector in Darebin is relatively small with local professional service providers and a larger market for government offices and agencies. Commercial office space in the municipality is dispersed with no identifiable cluster or scale apparent.

The services sector, particularly in government, health, education and community services, provide significant local employment and often occupy large land holdings that have potential to be more efficiently used.

**Key Issues**

- Challenge for established retail centres to accommodate increasing demand for new retail floor space along with higher density residential development.

- Accommodating larger format retail opportunities in established activity centres given limited availability of land and the high level of land fragmentation.

- Identifying how much retail development is sustainable in redevelopment areas to ensure an appropriate mix of economic activity.
Local centres are in a state of flux with some small centres barely playing a retail role while others, after a period of decline, are beginning to show signs of rejuvenation.

There is limited commercial office activity in Darebin; although there is scope for improvement with ongoing socio-economic change.

Key opportunity to intensify development in the Northland East Preston Activity Centre and encourage mixed uses including commercial offices to support economic investment and growth in the La Trobe Economic Employment Cluster.

La Trobe University is seeking to unlock the development potential of its Bundoora site with attention in the short term likely to focus development along Plenty Road.

Health and other associated service providers need to use land more efficiently.

Future land use opportunities along interface corridors at Mahoney’s Road and Keon Parade in Reservoir and Heidelberg Road in Northcote, Fairfield and Alphington.

**Objective 1 – Retail**

To strengthen the established retail centres hierarchy in Darebin and the roles of the various activity centres and strategic development precincts in accommodating diverse and appropriate retail activities.

**Strategies**

- Retain the established retail hierarchy of activity centres as identified in the Darebin Economic Land Use Strategy (2014).

- Focus future retail expansion around identified activity centres.

- Ensure the planning scheme is regularly updated to ensure retail expansion opportunities identified in retail demand assessments are catered for.

- Encourage where appropriate complementary mixed uses in and around activity centres and along identified strategic corridors.

- Discourage inappropriate land use and development activities that can undermine the retail mix and capacity of designated activity centres.

- Discourage establishment of supermarkets on Commercial 2 Zone, Mixed Use Zone or Residential Growth Zone land that is located outside of identified activity centres.

- Facilitate intensive development, including commercial and residential development, in and around activity centres consistent with the relevant structure plans for these areas.

- Promote Preston Central Activity Centre as the pre-eminent activity centre in Darebin, supporting a higher intensity and scale of development and accommodating a mix of commercial, civic, community, and housing activity.

- Promote Northland East Preston Activity Centre as a regional centre and key node in the La Trobe National Employment Cluster for retail, commercial office, entertainment and related uses which supports consolidation of jobs and housing in proximity.

- Facilitate the consolidation of Reservoir Activity Centre through separation of the rail line from roads at Reservoir Junction and redevelopment of residual land to create a ‘Central Heart’ connecting Reservoir Village and Broadway with continuous land uses and public spaces.

- Support Bulky Goods (i.e. restricted retail land use) clusters at Northland East Preston Activity Centre, along Bell Street Preston between Albert and O’Keefe Streets, and Plenty Road Bundoora around the intersection with Mt Cooper Drive.

- Accommodate smaller restricted retail and trade supplies outlets in parts of Plenty Road, Heidelberg Road, and High Street in accordance with adopted strategies.
- Encourage restricted retail as a potential ground floor use in the inter-nodal areas of High Street as specified in relevant local strategies.
- Support the local retail and commercial role of the Plenty Road and St Georges Road Strategic Corridors and provide opportunities for improved function.
- Encourage the development of a neighbourhood centre at Oakover Village.
- Support opportunities for retail and commercial uses along the Bell Street Strategic Corridor, with regard to local policy.
- Facilitate a higher intensity of activity in and around neighbourhood centres and local centres.
- Retain secondary neighbourhood centres and local centres which have an ongoing retail role.
- Encourage local centres to continue to accommodate local convenience retail and other local service business as appropriate.
- Provide adaptive re-use opportunities in underperforming centres to accommodate residential and/or retail and commercial uses.
- Encourage mixed use redevelopment of the Summerhill Neighbourhood Centre, ensuring any expansion of retail floorspace is subject to updated projections, and that redevelopment provides for suitable connectivity between sites.
- Subject to updated retail floorspace projections, support the inclusion of a full line supermarket within the Fairfield Neighbourhood Centre.
- Support ongoing mixed-use development in the Thornbury, The Junction - South Preston and Tyler Street Neighbourhood Centres in accordance with established planning policies.

**Objective 2 – Commercial Offices**

To facilitate the development of a commercial office market in Darebin

**Strategies**

- Encourage commercial (office) development in Darebin’s activity centres and along strategic corridors where commercial office activity is supported by planning policy.
- Rezone non-viable single use industrial sites or small clusters to enable use for commercial office purposes in locations where commercial office activity is supported.
- Support the Northland East Preston Activity Centre and La Trobe University precincts as major locations for commercial office development as identified in relevant strategies for each location.
- Encourage a high standard of design, amenity and security in commercial office development through application of structure plans and design guidelines.

**Objective 3 – Health Services**

To encourage appropriate allied land use activities around major health institutions

**Strategies**

- Support appropriate land use diversification of major health facilities that complement the main use of land.

**Objective 3 – Local Employment**

To encourage and facilitate economic activities that generate local employment opportunities.

**Strategies**

- Encourage economic activities that generate local employment opportunities.
Encourage small businesses, including micro and home-based businesses, as a sector providing employment opportunities without compromising the strategic directions from respective strategies and relevant adopted studies.

- Support the establishment of business incubators and hubs.
- Support the development of businesses in knowledge and advanced manufacturing.
- Ensure an adequate supply of appropriately located and zoned land to accommodate emerging ‘green businesses’ in Darebin, in particular industrial or commercial zoned lots providing 200-500sqm floor areas.
- Support the re-use of space in underperforming local centres as incubators and locations for small business.
- Consolidate retail, business, employment, community and leisure facilities and higher density housing in and around identified activity centres.

**Implementation**

The strategies in relation to retail and commercial activity will be implemented through:

**Policy Guidelines**

- Apply Clause 22.10 Bell Street Land Use in considering applications for use and development along the Bell Street Strategic Corridor.

**Application of Zones and Overlays**

- Implement Structure Plans for Preston, Northland, Reservoir and Northcote activity centres.
- Implement precinct plans and strategies for key corridors and precincts at High Street, Plenty Road, St Georges Road, The Junction – South Preston and Northland residential neighbourhood precinct.
- Rezone land in underperforming local centres as specified by the Darebin Economic Land Use Strategy (2014) to residential use.
- Rezone selected industrial and residential zoned land along the Plenty Road and St George Road Strategic Corridors to Commercial 1 Zone or Mixed Use Zone to retain and facilitate commercial land uses and support intended future use and built form in accordance with the Plenty Road Integrated Land Use and Transport Study (2013) and Urban Design Framework 2015 St Georges Road and Plenty Road Corridors.

**Further Strategic Work**

- As part of the Northland Structure Plan development, undertake detailed planning of the area bounded by Gower Street, Chifley Drive, Bell Street and Albert Street in East Preston to enable mixed use redevelopment with a particular focus on commercial office, community and residential uses.
- Review the Bell Street Corridor Strategy (2006) to ensure consistency with the development of the Northland Structure Plan, the Plenty Road Integrated Land Use and Transport Study (2013) and other relevant work.
- Undertake retail floorspace projections every 5 years for all activity centres to provide clear direction on the retail needs of the community and to provide a basis for the consideration of future retail proposals within the municipality. Particular direction is required regarding:
  - demand for larger format retail opportunities within the Northcote area
  - definition and role of the South Preston Neighbourhood Centre in the context of The Junction and Oakover Village Strategic Development Precincts
rezoning of land in the East Preston Core Industrial area and west of Albert street presently in the Industrial 3 Zone to the Commercial 2 Zone or zone as appropriate.

- Undertake further review of land use interfaces along Heidelberg Road, Mahoney’s Road and Keon Parade in consultation with adjoining municipalities.

- Undertake detailed planning to enable rezoning of Industrial 3 Zone land on Arthurton Road and adjacent to the Northcote Railway Station to the Commercial 1 Zone, and application of the Development Plan Overlay to facilitate mixed use development with a particular focus on commercial office and residential development.

- Undertake strategic planning and retail floorspace projections to develop a potential Neighbourhood Centre centred on Oakover Road, and St Georges Road.

- Undertake strategic planning in conjunction with La Trobe University to investigate the potential for:
  - mixed use development along Plenty Road, linking with the Lancaster Gate Neighbourhood Centre
  - synergistic commercial office development in proximity to the University.

- Update the Retail Activity Centres Strategy (2005) to reflect retail centres and alterations to existing centre roles.

Other Actions

- Work with State Government and other stakeholders towards grade separation of rail and road infrastructure at Reservoir.

- Work with Bundoora Extended Care to understand future possibilities for development particularly in regard to the interface with Plenty Road.

- Provide businesses with information and data that can assist in making effective business decisions.

- Monitor and document the extent and nature of ‘direct to the public’ retail operations in industrial areas.

- Explore the feasibility of a community business hub housing the latest technology.

Reference Documents

Bell Street Corridor Strategy, Hansen Partnership, 2006
Darebin Digital Strategy 2012-2015
Darebin Economic Land Use Strategy, 2014
Darebin Retail Activity Centres Strategy, 2005
Green Business Attraction Strategy 2012-2015
Northcote Activity Centre Structure Plan, 2007
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Plenty Road Integrated Land Use and Transport Study, 2013
Preston Central Structure Plan 2006 (as amended) (including Incorporated Plans and Preston Central Urban Design Framework and Guidelines)
Reservoir Structure Plan, 2012
Urban Design Framework 2015 St Georges Road and Plenty Road Corridors.
Tertiary Institutions

Overview

Darebin has two tertiary institutions at (La Trobe University and Melbourne Polytechnic) as well as numerous schools. La Trobe University is the largest single employer in the municipality and is a key attractor for education on a regional scale and for research and development on a national scale.

Key Issues

- Several of Darebin’s main educational institutions and health facilities are disengaged from the day to day economic life of the municipality.
- Facilitating new industries (such as research and development) in association with the tertiary institutions has been identified as important as it underpins the development of the City’s economic base.
- Managing the transition of La Trobe University from a campus based facility to a ‘university town centre’.

Objective 1 - Engagement

- To encourage tertiary educational institutions such as La Trobe University Melbourne Polytechnic to become more engaged in the economic life of the municipality.

Strategies

- Support appropriate land use diversification of major educational institutions, including commercial developments, which complement the main use of land.
- Support the transition of La Trobe University to a ‘university town centre’.
- Encourage affordable student housing near major educational institutions.
- Encourage institutions to develop educational opportunities that are accessible to the local community and provide appropriate skills for the jobs available locally.

Objective 2 – Research and Development

To encourage the development of research, development and high technology facilities in and around La Trobe University.

Strategies

- Encourage development of the La Trobe University Research and Development Park.
- Support the viability of the Victorian Agribioscience Centre.
- Encourage high-tech economic activity and research-based manufacturing activities near La Trobe University and areas bordering Banyule City Council in Bundoora and Macleod.

Implementation

The strategies in relation to tertiary institutions will be implemented through:

Further Strategic Work

- Undertake strategic planning in conjunction with La Trobe University to understand future development plans and investigate the potential for land use diversification on the Bundoora campus and surrounds.
- Liaise with Banyule City Council to advance opportunities for research and other associated land uses in the Bundoora and MacLeod interfaces around La Trobe University.
- Liaise with Melbourne Polytechnic to understand future plans for the Preston campus.
Arts, Culture and Tourism

Overview

Arts and cultural activities encourage participation, celebration and creative expression in the municipality, and contribute to community identity, sense of place and civic spirit. Darebin has a well-established arts and cultural scene that is closely associated with the municipality’s identity, attracts a broad range of visitors and generates considerable economic benefits.

Land use planning aims to support Darebin’s cultural and artistic vitality. Council recognises there is ongoing demand for adequate space to accommodate cultural activities such as live music, theatre, and visual art creation and exhibition.

While tourism plays a small role in Darebin’s economy, there are opportunities to build on a number of identified and diverse assets within Darebin to encourage residents and visitors to recreate within the city. These assets include Bundoora Park and Homestead, Merri and Darebin Creeks, strip retail centres, cultural activities, Preston Market, factory retail outlets, public open space and Darebin’s multicultural society.

Key Issues

- How land use planning can support Darebin’s cultural and artistic vitality as part of the greater land use mix.
- Amenity issues with residential uses within activity centres, particularly with regard to live music venues.

Objective 1 – Arts and Culture

To promote and support arts and cultural activities in Darebin

Strategies

- Promote arts and cultural activities as a means to generate economic growth and local employment opportunities.
- Identify and promote cultural ‘hubs’ which attract a mix of cultural activity, services and businesses
- Recognise and strengthen the unique characteristics of Darebin’s activity centres and their role as places for arts and cultural activities.
- Support business activities that relate positively to and attract activity at street level within activity centres and other key precincts.
- Recognise the importance of public spaces and the built environment in community life and support the better design and artistic enhancement of such spaces.
- Encourage public art projects as part of major developments and precincts.
- Promote and provide high quality spaces for the development, exhibition or staging of a wide variety of art forms.
- Encourage the provision of affordable artist working spaces and cooperatives, and performance spaces.
Objective 1 - Tourism
To encourage people from outside the area to visit Darebin.

Strategies
- Encourage the development of a diverse range of short term tourist accommodation opportunities, such as serviced apartments and hotels in the city, particularly in walking distance to key cultural attractors.
- Encourage additional high quality accommodation and hospitality based venues along Bell Street and in proximity to the Northland East Preston Activity Centre, Preston Central Activity Centre and La Trobe University.
- Ensure land use and developments in activity centres comply with strategic directions and become major focus and attractor for business, shopping, community, government, recreational, tourism and cultural activities for the northern suburbs of Melbourne.

Implementation
The strategies in relation to arts, culture and tourism will be implemented through:
- Collaboration between the Cultural branches, Darebin Parks, Open Space Planning, Strategic Planning and other Council branches responsible for open spaces and the built environment.
- Establishment of internal communication and referral processes to ensure opportunities for public art in major developments and precincts are identified and pursued early in the design process.

Reference Documents
Arts and Cultural Strategy, 2008-2013

Gaming
Overview
The Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010 – 2014 notes that Darebin is one of the areas in which a regional cap on electronic gaming machines (EGM) has been declared by the state government. While social and economic issues related to gaming should be addressed at various levels, land use planning also has a significant role in addressing and regulating the use of EGMs. As part of the Strategic Action Plan a set of guidelines has been prepared to help in application assessments to gauge the Social and Economic Impact Assessment of proposed gaming machines.

Objective
To locate gaming machines to minimise the incidence of ‘convenience gambling’.

Strategies
- Consider the social and economic impact of EGMs in assessing planning permit applications.

Reference Documents
Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014
TRANSPORT AND INFRASTRUCTURE

This Clause provides local content to support Clause 18 (Transport) and Clause 19 (Infrastructure) of the State Planning Policy Framework.

Strategic Transport and Infrastructure Framework

Providing the necessary infrastructure to support Darebin’s growing population, economic activity and resilience to broader environmental impacts and congestion is a critical issue, and central to maintaining Darebin’s high standard of liveability and amenity by virtue of its good access to transport, services and facilities.
Council supports a vision for well planned, efficient and equitable provision of transport and infrastructure across the municipality. This includes provision for sustainable transport such as walking, cycling and public transport, essential services and a range of community facilities, to meet growing community needs, enhance health and wellbeing and promote environmentally sustainable lifestyles.

Objectives and strategies to achieve these priorities are set out in the clauses below.

**Strategic Transport Framework Plan**

The Strategic Transport Framework Plan highlights the key transport priorities for Darebin to ensure a liveable and sustainable future. An important part of this is the Darebin Road Space Management Framework, as set by the Going Places, Darebin Transport Strategy 2007-2027 as follows:

*Strategic Corridors (Primary Arterial Streets)* – major roads intended to provide for significant regional and local movement. These roads are identified by VicRoads as “preferred traffic routes” for regional traffic movement. ‘Movement’ is prioritised and measured in terms of people and freight, rather than cars and trucks. A secondary priority is the provision of safe walking and cycling.

*Primary Multimodal Streets* – roads that form part of the Principal Public Transport Network and do not provide for significant regional traffic. High priority should be given to public transport in these streets, in conjunction with walking and cycling, particularly in activity centres and local centres.

*Secondary Multimodal Streets* – roads that provide for local traffic or local public transport. Priority should be given to pedestrians and cyclists in these streets, but may be given to public transport as appropriate if it would otherwise experience significant delays.

**Integrated and Sustainable Transport**

**Overview**

*Going Places, Darebin Transport Strategy 2007-2027* was adopted in 2007 and is Council’s key planning tool for transport priorities. This clause implements the land use planning aspects of the strategy.

Council seeks to promote sustainable ways of moving people and goods. Walking, cycling, public transport rail-freight and other alternatives to single occupant motor vehicle travel are encouraged.

Darebin is comparatively well serviced by regional road links and public transport networks. Public transport includes fixed rail (train and tram) radiating from the centre of Melbourne, and bus routes provide east-west connections. However, large sections of East and West Reservoir have poor connections to any public transport services and are highly car dependent.

A relatively fine grain network of streets provides a good network for walking, although safety and amenity are compromised on the major traffic arterials.

Darebin is experiencing strong, continuous growth in rates of cycling. This growth is related to the municipality’s proximity to the Melbourne CBD and key education centres, its relatively flat landscape and changing demographics. Community awareness of the benefits of cycling is increasing and so is support for improved facilities to increase the safety and accessibility of cycling in the City of Darebin.

**Key Issues**

- High levels of through traffic and road congestion, particularly east-west via Bell Street, and north-south on High Street, St Georges Road, and Plenty Road.
- Congestion on train and tram services at peak times, particularly affecting residents trying to access services in the southern parts of the municipality.
Rail grade separation investments are required at Reservoir Junction and Bell Street to enable more frequent train services, reduce congestion on key east-west links and increase safety.

Pressures on car parking in Darebin are increasing. Development with limited car parking spaces is perceived to absorb kerbside parking and generates adverse community reaction.

Ensuring efficient commercial vehicle and truck access to core industrial areas.

Adverse impacts of traffic, car parks and loading activities on pedestrian and cyclist amenity, particularly in activity centres.

A significant number of Darebin residents do not have easy access to car travel either through age, economic disadvantage or disability. Accessibility, safety and quality of environments for walking, cycling and public transport use are therefore important.

Quality of transport access is a key factor in attracting new employers to Darebin and providing local employment opportunities for Darebin residents.

**Objective 1 – Integration of Transport and Land Use**

To facilitate an integrated approach to transport and land use planning.

**Strategies**

- Support and facilitate a mix of land uses and greater housing densities in and around activity centres and train stations to enable shorter trips to employment, shops and services and support the use of public transport.

- Identify opportunities for accommodating key destinations and higher housing densities, particularly around train stations, in structure plans and precinct plans.

- Prioritise and facilitate a mix of land uses and greater housing densities in identified strategic corridors and precincts, and identified strategic opportunity sites generally within 400 metres of a train station or tram route.

- Encourage transit-oriented development incorporating new housing and employment on land unlocked for urban renewal through rail grade separation investments at Bell Street (Bell Station) and Reservoir Junction and other opportunities such as Alphington Station.

- Encourage apartment development in the Northland residential neighbourhood precinct which extends from Murray Road in the Northland East Preston Activity Centre to (and including) Summerhill Road and between the Albert Street corridor and the Darebin Creek to support investment in public transport and growth of the La Trobe National Employment Cluster.

- Encourage new businesses that rely heavily on road travel, such as manufacturing, transport and warehousing, to locate in locations with easy access to arterial roads.

- Enhance pedestrian accessibility and amenity around train stations and other public transport nodes and interchanges to encourage the use of public transport.

- Encourage the provision of high quality pedestrian and cycling links and facilities in structure plans, precinct plans, and major development plans.

- Encourage businesses to install cycle parking facilities on their property for employees and visitors and work with large businesses to promote cycle commuting and fleet bikes for work-related journeys.

**Objective 2 – Accessible Transport**

To improve access, safety and quality of environment for walkers, cyclists and people with limited mobility.
Strategies

- Encourage good urban design standards in built environments to support walkability and pedestrian amenity in accordance with the objectives and strategies of Clause 21.02-3.

- Require the design of new developments to contribute to a safe, attractive and comfortable pedestrian environment in streets and public open spaces through:
  - building orientation to achieve passive surveillance
  - wide footpaths and verandas on street frontages
  - minimal footpath interruptions by vehicle crossings
  - effective traffic management and signage
  - designated pedestrian routes through car parks and connections to public transport.

- Ensure the development of large strategic opportunity sites incorporates public pedestrian and cycle links and through-routes.

- Require Development Contributions to fund sustainable transport facilities such as bus shelters, signage, footpath widening and special paving for the mobility-impaired in accordance with an adopted Development Contributions Plan.

- Increase pedestrian and cycle priority over motor vehicles within activity centres and along local streets.

- Balance pedestrian and cycling needs with freight vehicle access needs in the design of streets in activity centres.

- Provide service access at the rear of shops and businesses wherever possible, particularly in activity centres and strategic development precincts to minimise conflicts with pedestrians and other activity along a property frontage.

- Incorporate access for people with disabilities and limited mobility in all streets, public transport infrastructure and public and commercial buildings.

- Ensure new retail development incorporates verandahs over footpaths.

- Provide secure and convenient parking, storage and shower facilities for cyclists in coordination with public transport interchange points, recreational facilities and key destinations on the Principal Bicycle Network.

Objective 3 – Car Parking

To manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand.

Strategies

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking.

- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres.

- Consider requiring Travel Plans as a condition of approval for new uses and developments where there is a substantial reduction in car parking from Clause 52.06 requirements.

- Investigate specific parking requirements at a precinct level leading to more localised and area specific provisions.

- Ensure the design of new developments address interfaces with the public realm and support walking, cycling and public transport access, in accordance with the Objectives and Strategies in Clause 21.02-3.
Implementation
The strategies in relation to transport will be implemented through the planning scheme as follows:

Policy Guidelines
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays
- Apply the following zones and overlays to encourage use of sustainable transport via urban design frameworks and guidelines:
  - Activity Centre Zone or other appropriate zone in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres.
  - Design and Development Overlay in strategic corridors along High Street, St Georges Road and Plenty Road reflecting urban design guidelines developed for these areas.
- Apply the Parking Overlay to selected activity centres and other precincts where variations to standard car parking rates are required and/or where financial contributions for the provision of shared car parking are sought.

Further Strategic Work
- Prepare guidelines for the preparation of Travel Plans to developers of large sites.
- Develop a Darebin Car Parking Strategy to determine responses to various car parking and transport issues across the municipality.
- Develop specific car parking provisions for activity centres and strategic development precincts as required, including establishing acceptable variations to standard car parking rates and options for financial contributions for shared car parking.
- Prepare urban design frameworks and guidelines for new developments which address the interface of private development with the public realm, and how new developments can support walking, cycling and public transport access, in accordance with the Objectives and Strategies in Clause 21.02-3.

Other Actions
- Work with VicRoads to improve Bicycle Priority Routes and the Principal Bicycle Network for cyclists.
- Advocate for reduced speed limits in local streets and other areas where cycling and walking are priority modes.
- Advocate for rail grade separation at Reservoir Junction and Bell Street (Bell Station).

Reference Documents
Community Health and Wellbeing Plan 2009-2013
Darebin Cycling Strategy 2013-2018
Darebin Housing Strategy 2013 (Revised 2015)
Darebin Safe Travel Strategy 2010-2015
Disability Access and Inclusion Plan 2009-2013
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Plenty Road Integrated Land Use and Transport Study 2013
Reservoir Structure Plan, 2012
Physical and Community Infrastructure

Overview

Meeting development needs and ensuring the quality and capacity of infrastructure, including essential services (such as energy supply, drainage, sewerage and communications) as well as community infrastructure (such as open space, libraries, community centres, health centres and the like) are essential considerations for land use planning in Darebin.

Planning for urban growth requires consideration of the ability of existing infrastructure to service new and more intensive development, and to identify upgrades and investments where existing capacity is expected to fall short of anticipated requirements.

This requires formulating short term responses to existing inadequacies and pressures, as well as long term planning to ensure infrastructure needs of future residents, workers and visitors to Darebin can be met.

Key Issues

- There is a need for a long term, sustainable approach to the planning, provision and management of physical and community infrastructure.
- Balancing long term investments with more urgent needs for upgrades and facilities.
- Darebin’s infrastructure tends to be older and in greater need of repair and replacement, particularly in the earlier-developed southern part of the municipality.
- More intense development is imposing additional demands on infrastructure capacity. In the future, these pressures will extend throughout the municipality.
- An increasingly affluent population has higher expectations about infrastructure standards and quality. At the same time, there are pockets of under-privilege in the municipality that deserve better access to services and facilities.
- Maximising the use of existing infrastructure by encouraging appropriate developments close to existing facilities and identifying the capacity of and the need for new infrastructure in areas in transition is essential.
- There is potential for community services to be delivered more locally or co-located, such as maternal and child health centres, kindergartens and toy libraries. However, some community services have to be centrally located due to their size and catchment.

Objective – Infrastructure Provision

To ensure the provision and planning for physical and community infrastructure meets existing and future needs of the community.

Strategies

- Provide appropriate levels of physical and community infrastructure across the municipality in response to identified community needs and trends.
- Prioritise the delivery of physical and community infrastructure in accordance with the strategic vision for growth and change identified in the Strategic Framework Plan at Clause 21.01-6 and other relevant strategies.
- Ensure that provision for physical and community infrastructure, and strategies for implementation and delivery, is incorporated in Structure Plans and other strategic plans and frameworks.
- Require a Development Contribution from developers to fund the provision of physical and community infrastructure in accordance with an adopted Development Contributions Plan.
• Maintain and further develop infrastructure to keep pace with industry needs, particularly the road infrastructure network.

• Encourage business, housing and mixed use development that will contribute to the development of a digital economy

• Manage and improve the City’s stormwater system and infrastructure to reduce the effect of stormwater discharge, in terms of pollution, flooding and flushing events.

• Consider the potential for community services to be delivered more locally in formulating plans for activity centres, strategic development precincts and strategic development sites.

Implementation

Policy Guidelines

Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development

Applications of Zones and Overlays

Apply the Development Contribution Plan Overlay to all land in Darebin to levy development for funds to supplement the provision of public works, services and facilities.

Further strategic work

• Review and update the City of Darebin Development Contributions Plan

• Undertake community infrastructure mapping and demand analysis in all areas.

• Undertake a strategic review of infrastructure, access, maintenance and service provision for Darebin’s activity centres.

Reference Documents

Asset Management Strategy 2013


Darebin Digital Strategy 2013-2018

Darebin Early Years Infrastructure Plan 2011-2021

Darebin Housing Strategy 2013 (Revised 2015)

Development Contributions Plan

Drainage Strategy 2009

Leisure Strategy 2010-2020

Playspace Strategy 2010-2020

Watershed: Towards a Water Sensitive Darebin City Council Whole of Water Cycle Management Strategy 2015-2025

Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025
THE JUNCTION FRAMEWORK PLAN

This policy applies to all land located in and around the intersections of High Street, Plenty Road and Bell Street, Preston, generally known as “The Junction” in accordance with the Junction Framework Plan, as shown on Map 1.

Policy Basis

The Junction – South Preston has been identified as a key area of opportunity for the municipality. It is located at an internodal area in High Street between the core retail functions offered at Preston and Thornbury.

The Junction area lies at a transition point part way along one of Melbourne’s longest, traditional retail strip centres. The area is characterised by a mix of commercial, retail and industrial properties fronting Plenty Road and High Street. Key uses within the area are the Preston South Shopping Centre, Australia Post and The Junction Hotel which is a local landmark on the intersection of High Street and Plenty Road.

The preferred future for The Junction envisages a vibrant mix of commercial uses at ground level with residential uses above whilst acknowledging the existing industrial uses. Residential development and commercial uses will be encouraged on Plenty Road and High Street, and will contribute towards the creation of a cohesive sense of place through their built form (especially at ground level) and through increasing the pedestrian connectivity to and from and within the Junction area.

This policy is derived from The Junction Framework Plan Map 1 and implements the recommendations of the Plenty Road Integrated Land Use and Transport Study, 2013.

Objectives

• To enhance the commercial spine along High Street and Plenty Road by encouraging a mix of uses.

• To improve the safety and amenity of High Street and Plenty Road by creating an attractive pedestrian environment

• To ensure development along High Street and Plenty Road assists in creating a sense of place through a positive interface with the public realm.

• To improve linkages between The Junction and the High Street shops south of Dundas Street and north of Bell Street.

• To create east-west pedestrian and bicycle connections through strategic sites between Plenty Road and High Street south of Raglan Street to achieve a fine-grained pedestrian network and increase access to public transport.

• To increase the provision of canopy vegetation towards Plenty Road and High Street on development sites.

• To promote commercial and residential development that is designed to allow for flexible and adaptable spaces over time that can host a variety of commercial uses and varying sizes of households.

• To encourage redevelopment of selected underutilised and redundant industrial sites for commercial, and higher density residential purposes.

• To ensure a high standard of amenity for new residential development that incorporates noise attenuation measures to minimise the impacts of existing industrial uses.

• To recognise existing residential areas and to consolidate and improve the amenity of these areas and ensure new development does not unreasonably impact upon the amenity of existing residences.

• To promote environmentally sustainable development through the siting, layout and design of all buildings and better use of existing infrastructure.
- To improve safety, amenity and surveillance of the Bell Railway Station and pedestrian linkages to and from the station.
- To recognise and protect heritage assets.
- To encourage the upper levels of buildings to be separated from other buildings or set back from property boundaries to ensure high level access to daylight is provided at lower levels, especially for south-facing aspects of new developments.
- To ensure that new development does not compromise the ability for future adjoining buildings to gain high level access to daylight at the lower levels.

**Policy**

It is policy that:

- Permit applications are considered in the context of the *Plenty Road Integrated Land Use and Transport Study, 2013.*
- Particular attention is paid to managing the redevelopment of The Junction Precinct to minimise potential conflicts between remnant industrial uses, the transport infrastructure and new sensitive land uses: including
  - The location and integration of plant and equipment to minimise visual impact and any noise;
  - The use of noise attenuation measures by residential uses to minimise the impact of existing industrial uses;
  - The use of noise attenuation measures by residential uses to minimise the impact of traffic, rail and tram noise;
- All new development provides a level of car parking sufficient to limit reliance on on-street parking, particularly in adjoining residential areas, to the satisfaction of the Responsible Authority. The Responsible Authority will give consideration to the proximity of local services and public transport in determining a satisfactory level of car parking.
- The intersection of Miller, Dundas, High and Plenty be treated as a gateway to The Junction area to foster a sense of arrival. Landscaping, public spaces and public art is encouraged in these locations.
- Strategic sites be identified as suitable to accommodate substantial change and east-west pedestrian and bicycle connections on such sites be identified to increase permeability and assist in creating a sense of place through connectivity.
- A pedestrian linkage is to be created between The Junction area and existing shops south of The Junction area.
- Verandahs, canopies, awnings etc are to be built along High Street and Plenty Road to assist in creating a cohesive built form and provide shelter to improve the pedestrian experience in the area.
- Tree planting within property setbacks is encouraged to introduce some softness into the streetscape and to improve amenity whilst not compromising safety.
- The reduction of visual clutter is required to enhance the appearance of the area.
- Active interfaces along High Street, Raglan Street and Plenty Road are required.
- Active frontages overlooking Bell Railway Station are encouraged.
- Off-site impacts by new development are to be minimised.
- Heritage assets are protected and integrated with new development.
- Best practice environmental management for stormwater be used in new development in accordance with the Stormwater Management Plan for the City of Darebin.
References

Draft Darebin Housing Strategy 2013 (Revised 2015)
Draft Darebin Economic Land Use Strategy 2013
High Street Urban Design Framework, 2005
Stormwater Management Plan for City of Darebin, 1999
Plenty Road Integrated Land Use and Transport Study, 2013
NEIGHBOURHOOD CHARACTER

This policy applies to the consideration of applications for development and works on land in the Neighbourhood Residential Zone and the General Residential Zone that is covered by the Neighbourhood Character precinct plan that forms part of this clause, but excluding all land within:

- Design and Development Overlay – Schedule 3 (DDO3 The Junction)
- Design and Development Overlay – Schedule 16 (DDO16 St Georges Road Corridor)
- Design and Development Overlay – Schedule 17 (DDO17 Plenty Road Corridor)

Policy basis

This policy:

- builds on the State Planning Policy Framework objectives and strategies for urban design and housing in clause 12.05, 16.01 and 16.02;
- assists in achieving the Municipal Strategic Statement objectives for urban design and housing;
- assists in achieving the design objectives of the Darebin Neighbourhood Character Study 2007.

Objectives

- To retain and enhance the identified elements that contribute to the character of the area.
- To ensure development responds to the preferred neighbourhood character of the area.

Policy

Where a permit is required to develop or subdivide in the Neighbourhood Residential Zone or General Residential Zone, it is policy to:

- identify the relevant neighbourhood character precinct
- assess the proposal against the preferred character statement and design guidelines in the Darebin Neighbourhood Character Study & Precinct Guidelines 2007
- ensure that new development contributes to the preferred character of the precinct.

Policy reference

- Darebin Neighbourhood Character Study & Precinct Guidelines, Planisphere, 2007
DAREBIN CREEK - ADJACENT LAND DESIGN AND DEVELOPMENT

This policy applies to all land adjacent to the Darebin Creek, which is located within a Darebin Creek "Character Area" which forms part of and is attached to, this policy.

Policy basis

Within the policy area, there is pressure for redevelopment of creek side lots and replacement of single or two storey houses with larger multi-unit developments. Development of industrial land has impacted upon the creek side environs with regard to location of storage areas, car parking and design of the built form.

To conserve the area's aesthetic, environmental and recreational values, Council should ensure that new development respects the character and values of the Darebin Creek environs. Development adjacent to the Darebin Creek should seek to retain and enhance the creek's unique contributions to both the surrounding population and the wider biological community.

Objectives

- To provide for a consistent and coordinated planning approach to protect, maintain and enhance the natural, landscape, cultural and built character of the Darebin Creek.
- To ensure that new development contributes to the desired character of the Darebin Creek environs.
- To acknowledge the character of creek side environments and its contribution to the aesthetic values of adjacent communities as well as its role as a waterway and open space corridor.
- To address the effects of development on private and public land on the aesthetic qualities of the creek side environs.
- To ensure that on development sites (including those where subdivision will occur) adjacent the creek, that the aesthetic impact is assessed with regard to maintaining and enhancing the existing creek environs, view lines and landscape works.

Policy

It is policy that in addition to the individual precinct plans prepared for each character area along the Darebin Creek, that the following matters be taken into consideration when considering any applications to develop or subdivide land adjacent the Darebin Creek:

- Development or subdivision adjacent the Darebin Creek should be designed in such a way that topography or landscape treatments are used to minimise the view from the creek side environs.
- Where development will be visible from the creek side, the built form should not dominate the view line from the creek, but instead the site should be landscaped so that planting becomes the dominant visual component.
- Development that contains roads should site them so that they have a minimal impact on the environmental qualities of the creek side.
- Preferably a road should enable development to front rather than back on to creek environs. Landscape treatments should be incorporated into the front setbacks.
- Proposed public and communal open space adjacent to the creek environs should be designed and located so as to maximise and increase the open space setback adjacent the creek side environs.
- Storage and carparking areas should, where practical, not be located adjacent to the creek side. These service areas should be adequately screened by sufficient landscaping to minimise visibility from the creek corridor.
Where buildings are visible from the creek side environs they should incorporate facades which front the creek. The design of these buildings should incorporate materials, colours and textures, which enhance the creek side amenity.

New development should incorporate landscaping treatments which protect and enhance the natural character of the creek side, minimise erosion and run off, enhance habitat values, frame buildings in areas where built elements are visually dominant and where appropriate provide a high standard of environmental amenity for the development site and for creek side users.

Decision Guidelines

In considering any application for development adjacent the Darebin Creek the responsible authority shall have regard to matters contained in the *City of Darebin, Darebin Creek, Design and Development Guidelines, David Lock & Associates, June 2000.*

References

*City of Darebin, Darebin Creek, Design and Development Guidelines, David Lock & Associates, June 2000.*

*Lower Darebin Creek Concept Plan, Parks Victoria/Melbourne Water, 1995*

Character Areas
INDUSTRIAL AND COMMERCIAL ACTIVITY

This policy applies to all land in the Industrial 1 Zone, Industrial 3 Zone and Commercial 2 Zone in the City of Darebin.

Policy Basis

The City of Darebin supports appropriate industrial and commercial development as an integral component of the economic growth and viability of the municipality and is committed to retaining employment opportunities.

Council recognises that development must be sustainable and must be balanced with social, environmental and cultural development to ensure Darebin remains a vibrant place to live and work.

Land use patterns in the municipality are changing in response to population renewal, property price increases and shifts in economic activity. Council acknowledges this change must be managed to ensure continued appropriate land uses and to manage areas of conflict between competing land uses and interfaces between non-complementary uses.

Policy Objectives

- To ensure a high standard of urban design is achieved to improve the visual character, functioning and layout in industrial and commercial areas.
- To require the provision of suitable landscaping to improve the appearance of industrial and commercial areas.
- To minimise the impact on the amenity of surrounding residential areas from traffic, noise and emissions resulting from industrial land uses.
- To reduce and minimise conflict between industrial and non-industrial land uses.

Policy Design

The design and construction of new buildings should improve the streetscape and amenity of the local area.

- The development of the land takes place in an orderly and proper manner with Council considering the following issues when assessing the impacts of development:
  - vehicle movement – to ensure safe and efficient vehicle access with trucks entering and leaving the site in a forward direction without damaging Council assets
  - loading bay provisions and access
  - pedestrian movement
  - car parking, including provision for bicycles and disabled
  - streetscape amenity – ensuring there are adequate setbacks and the scale and form of new buildings are compatible with the streetscape, particularly on sites abutting residential development
  - the need to promote environmentally sustainable development through the encouragement of permeable surfaces, energy efficient design and practices, water reuse, stormwater best practice management and recycling.
- Buildings incorporate design elements that add visual interest, are of contemporary design, use modern materials and address the streetscape.
• Buildings are designed and located to ensure front setbacks conform to the prevailing setbacks in the area.

• The use of front setbacks is restricted to landscaping, visitor car parking, access ways and signage.

**Landsaping**

Landscape treatment should enhance the visual appearance of development and be used to create an attractive and sustainable environment. Where practical, landscape should improve the amenity of surrounding area.

• Landscaping should be provided within front and side setbacks to the street, to car parking areas and around outdoor goods storage areas. Landscaping should also be provided along rear and side boundaries which form an interface with a more sensitive use (such as a creek or a dwelling) or are visually prominent.

• Landscaping should:
  - retain existing vegetation where possible and appropriate
  - be simple and low maintenance
  - use drought-tolerant and indigenous plants as appropriate
  - include canopy trees, particularly within street setbacks and car parking areas.

• Where 10 or more car parking spaces are provided, trees, or other appropriate landscaping, should be provided to increase permeability, break up the bitumen area, provide shade, and improve the visual amenity of the area.

• There should be low fencing or no fencing at the main street frontage. Any front fencing should be of high quality and be colour coated (not exposed wire or uncoated timber). Cyclone fencing should be avoided. If security fencing is required it should be visually permeable.

**Amenity**

A high standard of amenity within industrial and commercial areas is desired.

• Any proposal to use or develop land for industrial or commercial purposes in the immediate area of residential uses, open space or other sensitive land uses must incorporate measures to limit adverse impact on the surrounding area, particularly in terms of emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

• Plant and equipment, including air conditioning units, must be insulated and located to minimise noise impacts on the surrounding area.

• Well-defined interface buffers between industrial/commercial and residential land uses be maintained to minimise potential conflict.

• Storage and waste areas be appropriately secured and screened from sensitive uses and the public realm.

• Parking areas and access ways should be appropriately surfaced and drained to accommodate the proposed level of vehicular traffic and minimise the emission of dust.

• In both core and non-core industrial areas, on-site activities should be located to minimise the impact on non-industrial zoned land.

• Fencing should be located at or behind the building line and is discouraged along the front boundary or in front of the building line.

**Policy References**

• *Darebin Economic Land Use Strategy*, 2014
HIGH STREET CORRIDOR LAND USE AND URBAN DESIGN

This policy applies to land located along the High Street corridor from Merri Creek, Westgarth to Wild and Mason Streets, Regent, as shown on Maps 1A, 1B and 1C. It excludes the Northcote Activity Centre Local Policy Area.

Policy Basis

This policy implements the High Street land use and urban design objectives and strategies set out in the Municipal Strategic Statement and the recommendations of the High Street Urban Design Framework and Precinct Guidelines.

Objectives

- To protect key public views and vistas (1) from All Nations Park, (2) to the Northcote Town Hall from ‘Y on High’ and (3) the central city skyline from Ruckers Hill.
- To strengthen the core retail function of the designated activity centres along High Street.
- To promote redevelopment of the intermodal areas in High Street.
- To protect the amenity of residential land adjacent to commercial land.
- To improve the accessibility and amenity of High Street properties by progressively widening rear laneways.

Policy

It is policy that the following precinct policies and design guidelines be considered in all planning applications in the relevant precinct (refer to Maps 1A, 1B and 1C for precinct boundaries) in order to protect residential amenity and strengthen the role of activity centres.

Design Guidelines – All Precincts

- Where vehicular access to the site is obtained by a laneway, the laneway is to be widened to 6 metres.
- New development is required to have rear setbacks adjacent to residential properties in accordance with the Diagrams below. (Note that these rear setback requirements are based on an extrapolation of Standard B17 in clause 55.04-1 of the Darebin Planning Scheme.)
- Buildings with street frontage are to maintain a street wall height of 8-10 metres with upper levels set back.
- Where preferred building height is expressed as a number of storeys, the ground floor storey is expected to be up to 4 metres high and storeys above ground floor to be 3 metres high.

Diagram 1 – Side-on Residential Properties Separated by a Laneway
Diagram 1 applies where the adjoining residential property fronts at right angles to the properties fronting High Street, as shown above in Diagram 1A, where a laneway separates the properties. Where laneways are widened, the rear setbacks apply to the original boundary.

Diagram 2 – Side-on Residential Properties Not Separated by a Laneway

Diagram 2 applies where the adjoining residential property fronts at right angles to the properties fronting High Street, as shown above in Diagram 2A, where there is no laneway separating the properties.

Diagram 3 – End-on Residential Properties Separated by a Laneway

Diagram 3 applies where the adjoining residential property has frontage to a street parallel to High Street, as shown above in Diagram 3A, where a laneway separates the properties. Where laneways are widened, the rear setbacks apply to the original boundary.

Diagram 4 – End-on Residential Properties Not Separated by a Laneway

Diagram 4 applies where the adjoining residential property has frontage to a street parallel to High Street, as shown above in Diagram 4A, where there is no laneway separating the properties.
Diagram 5 illustrates the requirement for buildings to be built to the front boundary up to a height of between 8 and 10 metres above ground level and then set back a minimum of 1.5 metres from the front boundary per floor.

**Precinct 1: Westgarth South**

It is policy:

- To retain the predominantly low-rise residential, historically significant built form character and streetscape.
- To encourage the redevelopment of the industrial sites on the eastern side of High Street between Walker and Cunningham Streets (Nos. 18-36 High Street, Westgarth) for a mix of commercial and residential uses, within the existing buildings or in new buildings of a similar form.
- To encourage the redevelopment of the industrial site on the south side of Urquhart Street for a residential apartment building that takes advantage of the sloping topography, while minimising its impact on adjoining land uses including the Merri Creek open space corridor.
- To encourage the redevelopment of the Walker Street public housing site on the west side of High Street in accordance with DPO13.

**Design Guidelines**

On the eastern side of High Street between Cunningham and Walker Streets (Nos. 18-36 High Street, Westgarth):

- Buildings are to be built to the front boundary.
- Undercroft parking is not to be provided at the front of the building.
- Redeveloped or new buildings can exceed the height of the existing building by up to 7 metres, provided the additional storeys are set back from the ground floor frontage and use techniques (such as contrasting external wall materials) to make them visually recessive.

**Precinct 2: Westgarth Central**

It is policy:

- To retain and enhance the relatively intact, valued and historically significant Victorian and Edwardian streetscape.
- To retain and enhance the mix of small scale cinemas, local convenience retail, restaurants and specialty retail uses in narrow fronted premises.
- To encourage the development of small scale residential development above or behind business premises.
To ensure that the visual impact of development behind or above existing buildings is minimised by appropriate setbacks and height.

To encourage low-rise development on larger lots north of Candy Street and at the corner of High Street and Westgarth Street, that provides new anchor attractions and residential accommodation, in buildings that respect the low scale heritage context, but express the entry to the centre.

Design Guidelines

The façade of any replacement building that extends across two or more lots to be designed to appear as multiple buildings of typical frontage width.

New buildings or extensions (other than sites identified below) are not to exceed one level above existing building floor levels, and any part of the building above the existing front façade height is to be set back behind the façade so that it does not extend more than 15% above the apparent front wall height when viewed from the footpath opposite the site in High Street.

**Diagram 6 – Front setback to shoBtop development above 1-storey street wall**

Diagram 7 – Front setback to shoBtop development above 2-storey street wall

Primary pedestrian access to new development is to be from High Street.

New buildings on land north of Candy Street or at the corner of High and Westgarth Streets (Nos. 54 and 106-118 High Street, Westgarth) are not to exceed 3 storeys, except that non-habitable architectural elements may extend by up to a further 3.5 metres.

Buildings over 8 metres in height:

- are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor
- are to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 3: Westgarth North**

It is policy:

To retain and enhance the prominence of the historic cable tram ramp landscape including the drinking fountain, western brick parapet, tramway overhead stanchions and rows of elms and peppercorn trees.

**Precinct 4: Croxton**

It is policy:
To encourage the redevelopment of this area for ground floor showroom uses and residential uses primarily above and behind.

To provide for office uses at ground floor level.

To discourage small scale retail uses from locating in this area, other than to accommodate future demand for expansion of the Thornbury shopping centre, or to provide small scale convenience shops that serve the immediate locality.

To preserve the existing views to the horizon from the All Nations Park hilltop to the northwest.

To protect the view of the Northcote Town Hall from ‘Y on High’ (the junction of High Street, Plenty Road, Miller Street and Dundas Street.)

To ensure new development is designed to protect the amenity of adjoining residential properties.

Design guidelines

Buildings not to exceed 5 storeys or the height of the existing building on the site (whichever is greater) with the maximum height determined by the maintenance of the view corridor to the horizon from All Nations Park hilltop.

Buildings over 8 metres in height:

- are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front building face per floor

- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

Precinct 5: Thornbury Village

It is policy:

- To enhance and support the role and viability of the centre in providing local convenience and comparison retailing, service and office uses.

- To retain and enhance the low scale Victorian and Edwardian buildings on traditional narrow fronted lots on the west side and north of Normanby Avenue.

- To encourage the development of small scale residential development above or behind business premises.

- To ensure that the visual impact of development behind or above existing buildings is minimised by appropriate setbacks and height.

- To encourage the redevelopment of sites south of Clarendon Street and immediately north of Clarendon Street on the east side of High Street (Nos. 630-656 and 658-668 High Street and 6 Clarendon Street, Thornbury) for new anchor attractions or residential development in mid to high rise buildings.

- To encourage the sensitive reuse of the heritage ‘Browns Motors’ building (No.626-628 High Street, Thornbury).

- To ensure new development is designed to protect the amenity of adjoining residential properties.

Design guidelines

New buildings or extensions (other than sites identified below) are not to exceed two levels above existing building floor levels, and are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor.

In the area of the Precinct on the east side of High Street south of Clarendon Street and immediately north of Clarendon Street (Nos. 630-656 and 658-668 High Street and 6 Clarendon Street, Thornbury), new development is:
to be graduated in height from a maximum of 3 storeys at the eastern boundary to a maximum of 5 storeys along High Street or 6 storeys within 18 metres of the corner of High Street and Clarendon Street along both street frontages

- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level along the High Street and Clarendon Street frontages, and then set back a minimum of 1.5 metres from the front boundary per floor

- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 6: Thornbury Central**

It is policy:

- To encourage the redevelopment of this area for ground floor showroom uses and residential uses primarily above and behind.

- To provide for office uses at ground floor level.

- To discourage small scale retail uses from locating in this area, other than to provide small scale convenience shops that serve the immediate locality.

- To ensure new development is designed to protect the amenity of adjoining residential properties.

**Design guidelines**

Buildings are not to exceed 5 storeys.

Buildings over 8 metres in height are:

- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor

- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 7: Thornbury Junction**

It is policy:

- To encourage offices and showrooms at ground floor level, particularly in the area between Flinders Street and Pender Street on the west side of High Street.

- To encourage residential development above and behind commercial premises.

- To ensure new development is designed to protect the amenity of adjoining residential properties.

**Design guidelines**

New buildings or extensions on narrow allotments are not to exceed two levels above existing building floor levels, and are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor.

Buildings on land with a frontage to High Street greater than 15 metres are:

- not to exceed the 4 storeys or that of the existing building on the site (whichever is greater)

- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor

- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 8: Preston South**

It is policy:
To encourage the substantial development of this area as a major business and community centre for Darebin and the northern region of Melbourne.

To encourage the development of ‘landmark’ high-rise buildings at the Bell Street intersection.

To encourage provision of an active frontage to High Street with ground floor office and large-format showroom and retail uses, and smaller retail shops as new development demands.

To encourage upper floors to accommodate office, service business, educational and residential uses.

To encourage the development of Mary Street properties for complementary office or service business uses, with some residential uses above ground level, and discourage at grade car parking facilities along frontages to Mary Street and Bruce Street.

To ensure new development is designed to protect the amenity of adjoining residential properties.

**Design guidelines**

Buildings located at the intersection of High Street and Bell Street (Nos. 225-243 and 196-204 High Street, Preston) are not to exceed 8 storeys in height.

Buildings elsewhere in the Precinct are:

- not to exceed 5 storeys or that of the existing building on the site (whichever is greater)
- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor
- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 9: Preston Central**

It is policy:

- To enhance and consolidate the role of Preston Central Activity Centre, providing a sub-regional retail, service, office, business, entertainment, community service and residential role.
- To encourage development that respects the pattern of development and enhances public realm amenity.
- To encourage residential development above and behind commercial premises.
- To ensure new development is designed to protect the amenity of adjoining residential properties.

**Precinct Policies**

New buildings or extensions on narrow allotments are not to exceed two levels above existing building floor levels, and are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor;

Buildings on land with a frontage to High Street greater than 15 metres are:

- not to exceed 4 storeys or that of the existing building on the site (whichever is greater)
- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor
- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 10: Preston North**

It is policy:
To encourage the provision of complementary employment generating activities to support the role of Preston Central, including showrooms at ground floor and residential uses.

To provide for office uses at ground floor level to support the role of Preston Central.

To ensure new development is designed to protect the amenity of adjoining residential properties.

**Design guidelines**

Buildings over 8 metres in height are:

- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor
- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**Precinct 11: Preston “Auto Alley”**

It is policy:

- To encourage a mix of car sales and related uses, showrooms, offices and service industry uses.
- To ensure new development is designed to protect the amenity of adjoining residential properties.
- To encourage new development of sites at the southern part of the Precinct to include front setbacks to enhance the appearance and separation of the Precinct from the Preston North Precinct to the south.

**Design guidelines**

Buildings over 8 metres in height are to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor.

Buildings proposed at 573-603 High Street, Preston are to be set back 6 metres from the front and incorporate tree planting in the setback area.

**Precinct 12: Regent**

It is policy:

- To encourage a mix of showrooms, offices and service industry uses in the area south of Regent Street and 626 High Street, Preston.
- To provide for a mixture of residential and commercial uses in the northern part of the Precinct.
- To ensure new development is designed to protect the amenity of adjoining residential properties.

**Design guidelines**

Buildings over 8 metres in height are:

- to be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and then set back a minimum of 1.5 metres from the front boundary per floor
- to include measures (such as contrasting external wall materials) to ensure any part of the building above and set back from the front wall is visually recessive.

**References**


Map 1A

Precincts 1 to 3

Creek Parade to Separation Street
Map 1B
Precincts 4 to 7
Separation Street to Miller Street
Map 1C

Precincts 8 to 12

Bell Street to Wild Street
MULTI-RESIDENTIAL AND MIXED USE DEVELOPMENT

This policy applies to:

- multi-dwelling apartment development
- mixed-use development which includes a residential use

in:

- a Residential Growth Zone, Mixed Use Zone, Commercial Zone and Priority Development Zone
- a General Residential Zone (if in the opinion of the responsible authority a requirement of the policy is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement)

excluding land within Design and Development Overlay Schedule 14 (DDO14) Northcote Major Activity Centre.

Policy Basis

This policy builds on the design and built form objective in clause 15.01-2 and implements the strategies for housing diversity and urban design in the Municipal Strategic Statement.

Policy Objectives

- To facilitate residential and mixed use development which promotes housing choice, displays a high standard of urban design, limits off-site amenity impacts, and provides appropriate on-site amenity for residents.
- To facilitate development that demonstrates the application of environmentally sustainable design principles.
- To facilitate a high quality street edge that relates to the public realm.
- To encourage efficient design outcomes that consider the development potential of adjoining sites.
- To encourage the consolidation of lots to facilitate better design and amenity outcomes for higher density development in locations where substantial housing change is directed.

Policy

It is policy:

- To consider the objectives and guidelines of the following design elements in the assessment of multi-residential apartment development and mixed use development.
- For development of five or more storeys, to also consider the Guidelines for Higher Density Residential Development (DSE 2004).
- To encourage the consolidation of lots to increase development opportunities and encourage high quality design and amenity outcomes.
- To encourage the location of the mass of buildings towards the street frontage through which the rear bulk is minimised.
- To maximise street and rear facing dwellings to facilitate high quality internal amenity and reduce negative offsite impacts of development.
- To ensure development makes a positive contribution to the pedestrian environment.
22.06-3.1 Sustainability

Objectives
To achieve development design that is guided by environmentally sustainable design principles.
To achieve highly energy efficient development.
To achieve highly water efficient development.
To achieve sustainable development with a high level of internal amenity

Design Guidelines
- Utilise passive solar design layout to reduce energy consumption for lighting, heating and cooling.
- To utilise window treatments such as fixed and adjustable shading devices that respond to the building’s solar exposure,
- Create a high level of daylight access preferably via providing front and rear facing dwellings or via utilising light courts that widen towards the top of buildings, especially abutting side boundaries. The base of a light court should have an adequate depth from the side boundary and a usable base for secluded private open space.
- Locate light courts to align with light courts on adjacent development sites wherever possible.
- Maximise direct access to daylight to all habitable rooms and avoid the reliance on borrowed light, including for non-habitable rooms and common areas.
- Ensure dwellings have excellent opportunities for natural ventilation, especially for single-aspect dwellings.
- Make use of resource saving utilities such as solar hot water heaters and solar panels.
- Utilise systems that encourage stormwater reduction and the reuse of grey water such as biofiltration systems and water tanks connected to e.g. toilet flushing.

22.06-3.2 Design & Materials

Objective
To locate the mass of the building envelope towards the street frontage and away from rear boundaries.
To require high quality design and finishes for multi-level development.
To ensure development has a strong relation to the pedestrian environment in the public realm.

Design Guidelines
- Development on wider street frontages should reflect the vertical streetscape rhythm of the predominant pattern in the area.
- Building levels should be distinguished via horizontal banding or building elements.
- Development on street corners, landmark sites and within activity areas should provide for a strong robust form.
- Development on street corners including rear laneways should be splayed to create open sightlines for pedestrians.
- Building mass should be located towards the street frontage, reducing the impact of visual bulk towards the rear of the lot and maximising the potential for street-facing dwellings (while avoiding side facing dwellings).
- Development should create a lower-scale street edge through a two- or three-tiered module approach with a larger footprint for the first levels and upper levels being set back from the frontage of the lower levels.

- Development facades facing public spaces and internal passage ways should be activated via passive surveillance.

- Facades of new development should be modulated by porticos, balconies, verandahs, sun shade devices and the like and not be overly reliant on a mix of materials and colours.

- Design and building materials used should be low maintenance, durable and of high quality, and minimise the potential for graffiti.

- Development should seek to retain development potential of adjoining sites so that equitable access direct sunlight is achieved.

- The design of new buildings should incorporate techniques to minimise their apparent bulk and the ‘wedding cake’ effect of progressive setbacks to upper levels via providing a strong base at the street edge and lighter middle and top components.

- In residential areas, a domestic design approach is desirable and should comprise a balance of solid and void elements, embellished with architectural features such as balconies, fenestration and roof forms, including eaves.

- Development in commercial or mixed use zones should provide for commercial capable floor to ceiling heights at ground level where fronting the main street.

- Where blank walls to upper levels of buildings are unavoidable, they should be treated to reduce their visual impact.

- Rooftop servicing and communication equipment should be located and/or screened to minimise visibility from public spaces.

- Site services, such as utility meters, substations, fire booster and the like should be located and designed to minimise visibility from public spaces, especially the main street frontage.

### 22.06-3.3 Building Height

#### Objectives
To ensure that the height of new development responds to the relevant strategic directions for the area.

To ensure new development is appropriate to the scale of nearby streets, other public spaces and buildings.

To protect sunlight access to public spaces.

#### Design Guidelines
- Building height should be determined by the application of the other elements of this policy and relevant elements of this planning scheme, having regard to:
  - any height limit specified in the zone or zone schedule
  - site context, including the scale and character of surrounding development and the nature and sensitivity of surrounding land uses;
  - site characteristics, including area, dimensions, topography, orientation and outlook;
  - existing development on the site, including height, bulk, and site coverage
  - the level of impact on public spaces such as footpaths, squares and parks.
22.06-3.4 Dwelling diversity

Objective
To provide a range of dwelling sizes and types, including 3 bedroom units.

Design Guidelines
- Development is to provide residential apartments with a range of living and bedroom configurations to promote housing affordability and choice.

22.06-3.5 Parking and Vehicle Access

Objective
To ensure that adequate arrangements for vehicle access and parking for residents and visitors are provided.

To provide for pedestrian amenity by minimising vehicle crossovers and providing a single point of access for multi-dwelling developments, where possible.

To provide a high amount of conveniently accessible bicycle parking.

To avoid vehicle crossovers on primary streets where an alternative rear or side access is available.

To encourage the internalisation of car parking areas within development sites and minimise their visibility from the public realm.

Design Guidelines
- The location and design of accessways should allow for ingress and egress in a forward direction.
- The consolidation of lots to reduce the number of crossovers and hardstand is strongly encouraged.
- Vehicle crossings to street frontages is discouraged in commercial and mixed use areas where active frontages are promoted.
- Where vehicle access for a development site is available from a side or rear street, it should be used in preference to access via a crossover to a primary street, as practicable.
- Under-croft car parking areas should be sleeved by development where possible to provide habitable or active spaces adjoining street interfaces.
- Access requirements for emergency services should be accommodated.
- Basement car parks should not be designed in ways which result in the ground floor level of buildings being excessively elevated.
- Garage openings should be located within the site and should not front the primary street.
- Bicycle parking spaces should be located at ground level or first basement level and be conveniently accessible.
- The number bicycle spaces should exceed the requirements of Clause 52.34 to reflect the high level of ridership in Darebin.

22.06-3.6 Street Address – Mixed-Use Developments

Objectives
To promote opportunities for innovative land use mixes in new development, including commercial office space and home offices.

To promote active building frontages at ground level and visual and functional interaction between the footpath and new buildings.
Design Guidelines

- To ensure that development provides a sense of address to residences within mixed use developments.

- Where a proposed development is located in a retail area the ground level frontage of the building facing the street should be designed and used for retail or other approved business purposes to provide an active frontage.

- In core retail areas, development should provide continuous weather protection to the footpath. Weather protection is to be set back by 750mm from the kerb to ensure it does not interfere with vehicles.

- Development should provide for an active frontage to the footpath through the inclusion of generous glazing, openings or other design techniques that promote visibility and accessibility between the footpath and the building.

- Development should provide an attractively designed and finished interface between the building and the footpath.

- Development should provide an attractive, recognisable and accessible pedestrian access point from the street to the residential component of the building.

- Development should be designed to front and/or have outlook to any adjoining public open space as appropriate.

- Advertising signs should be designed as integrated and visually cohesive elements of the building design.

- External public and communal spaces should be adequately lit and clearly visible from within adjacent buildings.

- A direct line of sight should be created from access ways to internal communal spaces.

- Any recesses in the ground floor front facade of a building built to the street boundary should be no more than 300 millimetres deep and no less than one metre wide.

- Mailboxes should be located close to the pedestrian entry.

22.06-3.7 Street Address – Residential Areas

Objectives

To enhance streetscapes by maximising opportunities for substantial landscaping within front setbacks.

To protect and enhance pedestrian amenity by minimising the impact of vehicular access points within the pedestrian realm.

To promote safe neighbourhoods by ensuring development achieves an appropriate sense of address.

Design Guidelines

- Development should provide for meaningful landscaping within the front setback by ensuring sufficient area is set aside for deep root planting. Development should be designed to front and/or have outlook to any adjoining public open space as appropriate.

- External public and communal spaces must be adequately lit and clearly visible from within adjacent buildings.

- Internal communal spaces should be clearly visible before entering the space.

- Mailboxes should be located close to the pedestrian entry.

- Dwellings at ground level should engage with the street by providing front fencing below 1.5m in height. Fencing over 1.2m in height should be semi-transparent.
22.06-3.8 Amenity Impacts, Including Overshadowing and Overlooking

Objective
To ensure that multi-level development minimises unreasonable overshadowing and overlooking of residential development.

Design Guidelines
- The design of any privacy screening should strike a balance between preventing overlooking of existing secluded private open spaces and providing a high level of internal amenity for new dwellings.
- Privacy screening should be designed as integrated and visually cohesive elements of the building, such as:
  - Wall and balustrade design and building setbacks that utilise the building edge below to block downward views;
  - Building design and orientation of windows and balconies towards the public realm or within the development site;
  - Screening that obscures direct downward views but allows distance views where applicable (e.g. deep horizontal fixed louvres); and
  - Fixed planter boxes with higher outer and/or side edges.
- External surfaces should use low reflectivity materials.
- Servicing equipment is not to be located where it will cause a noise nuisance to adjacent properties or to dwellings within the development.

22.06-3.9 On-Site Amenity and Facilities, including Private Open Space

Objective
To provide a high adequate level of residential amenity for residents including provision of noise attenuation measures to protect residents from noise created as a part of the normal business and entertainment functions of activity centres.

Design Guidelines
- Development should meet the objectives of Clauses 55.05-1 to 55.05-4, 55.05-6 and 55.06-4 of the Darebin Planning Scheme.
- Where single aspect south facing apartments cannot be avoided, light wells should be incorporated to introduce direct natural light into habitable rooms.
- Windows to apartments with a single outlook must be clear to the sky, and should not be overhung with balconies or other protruding structure, unless the overhang is designed to provide a shading function and avoid excess heat gain.
- Bedrooms that rely upon borrowed light, including ‘battle axe’ bedrooms, should be avoided.
- Development should incorporate weather protection to private open space. These elements are to be designed as integrated and visually cohesive elements of the building design.
- Development should make adequate provision for natural light and ventilation to habitable rooms, including bedrooms.
- In larger residential developments, communal open spaces should be provided to allow for recreational uses such as a garden, courtyard, tables and seating, BBQ facilities and utility uses such as open air clothes drying.
Communication devices, cabling, antennas and plant should be integrated into the building design, consolidated and rationalised wherever possible and not visible from the surrounding streets.

22.06-3.10 Waste Management

Objective
To provide for on-site storage of waste.

Design Guidelines
- A waste management plan which identifies the convenient location for on-site storage and arrangements for bulk storage and collection of refuse (including recyclable waste) must be submitted to the satisfaction of the responsible authority.
- Waste disposal facilities are to be carefully located so as not to pose amenity or health risks to the occupants of the development or abutting uses.
- Waste collection should occur on site.

22.06-3.11 Equitable Access

Objective
To provide adequate standards of access to and within multi-level development for older people and people with disabilities.

Design Guidelines
- Any part of the building to which the general public should have unrestricted access is to be designed and constructed to avoid discrimination in the provision of access.
- A proportion of dwellings should be designed so as to include a living room or bedroom, kitchen, bath or shower, and a toilet and wash basin at one level where practicable.

Policy reference
*Darebin Housing Strategy 2013-2033, City of Darebin*
*High Street Study Urban Design Framework, David Lock Associates and Planisphere, 2005*
*Guidelines for Higher Density Residential Development, Department of Sustainability & Environment, 2004*
*Preston Central Structure Plan 2006 City of Darebin & David Lock Associates*
*Reservoir Structure Plan, 2012*
*Residential Built Form Guidelines, 2014*
*Safer Design Guidelines for Victoria, Department of Sustainability & Environment*
NORTHCOTE ACTIVITY CENTRE

This policy applies to all land in the Northcote Activity Centre as identified on Map 1 Activity Centre and Precincts forming part of this policy.

Policy Basis

The purpose of this policy is to implement the recommendations and strategic directions of the Northcote Activity Centre Structure Plan, April 2007 (NAC Structure Plan).

The NAC Structure Plan provides the strategic basis for this policy by building on:

- the MSS objectives for activity centres
- Council’s Activity Centres Policy (Clause 22.03)
- the High Street Urban Design Framework, 2005 and High Street Precinct Guidelines, 2005
- Clause 12 of the SPPF.

Objectives

- To ensure use and development within the Activity Centre is generally in accordance with the NAC Structure Plan.
- To ensure the Activity Centre is developed in accordance with preferred built form outcomes including as set out in the High Street Urban Design Framework 2005 and High Street Precinct Guidelines, 2005 where relevant.
- To reinforce High Street as the core retail and commercial activity spine.
- To provide physical form and services that seek to create a more ecologically sustainable activity centre, including through incorporating principles of environmentally sustainable design.
- To encourage a diversity of use and development focused around walking, cycling and public transport as the preferred forms of access.
- To preserve and protect key public views and vistas from the All Nations Park hilltop and the central city skyline from Ruckers Hill.
- To improve pedestrian access between key destination points.
- To encourage increased residential development throughout the Activity Centre.
- To support a mix of uses, activities, services and facilities that enhance the economic, social and environmental viability of the centre.
- To develop the Activity Centre as a regional arts and culture node through a range of visual arts and live music venues and support services to the arts and design community.
- To encourage innovative solutions that enable a diversity of living and working opportunities, with a focus on maintaining and providing affordable housing and employment spaces.
- To maintain strong historic links to social and cultural diversity, including recognition of indigenous cultures and migration.

Policy

General

- Consider the NAC Structure Plan when assessing land use and development proposals in the Activity Centre.
Centre roles and boundaries

- Consolidate development within the Activity Centre in order to promote a walking catchment to economic, transport and community facilities.
- Establish a focus for business and social activity through a range of day and night time activities within a central core.
- Create a focus for convenience retailing, supporting business and community activities around the intersection of High Street and Separation Street / Arthurton Road.
- Support development and redevelopment that encourage pedestrian based activity in and around the High Street and Separation Street / Arthurton Road pedestrian spines.
- Ensure proposals for late night uses minimise amenity impacts on residential uses, particularly those located in residential zones.
- In business zone areas support and encourage a mix of:
  - day and night-time activity to consolidate and enhance the Activity Centre’s regional retail function and role
  - entertainment uses which are operated and designed to minimise land use conflict
  - business use at ground level with residential above.
- Support opportunities for incorporating mixed use living and work spaces throughout the centre.

Housing

- Promote increased density in housing in designated areas of moderate and high change.
- Ensure new development advances the social and community values of Northcote by providing a range of housing types and floor plans to maximise housing affordability and accessibility for all members of the community.
- Support the provision of social and community based housing.
- Encourage new residential use above ground floor levels in the retail core.

Economic Development

- Increase and improve the provision of locally based jobs and business growth.
- Encourage the development of office accommodation to complement the core retail area of High Street, particularly on large development sites on Arthurton Road and High Street.
- Ensure housing is located in places that can support employment and entertainment activity in the Centre.
- Reinforce High Street as the core retail and commercial activity spine through encouraging within the strip:
  - a variety of businesses, particularly those that offer quality fresh food, and other convenience household items
  - convenience retailing from Robbs Parade to the Town Hall, with primary convenience shopping promoted between Robbs Parade and Hawthorn Road
  - the addition of a fresh food based supermarket that reinforces and facilitates active frontage
  - promotion of a range of day and night time activities, including niche retail and entertainment facilities.
- Nurture further development of the emerging creative arts sector in an identified Creative Communities Precinct through continued support for arts, design and related small and home-based businesses in new and older adapted buildings.
Encourage opportunities for growing the evening economy.

Ensure potential conflicts between business and residential uses in mixed use precincts are managed to ensure long term economic viability.

Promote the redevelopment of properties along Helen Street to provide a better interface with the Arthurton Road car park with a range of live/work developments.

Transport and Access

- Maintain an attractive living environment by:
  - supporting pedestrian activity as the primary form of access, including through infrastructure improvements
  - improving pedestrian links between Northcote Plaza, High Street and Northcote Station, including through development designed to increase personal safety.

- Minimise the impact of travel on the local character by:
  - supporting public and community based transport as the secondary form of access
  - ensuring new development improves linkages between public transport and key destinations, incorporating better transport interchanges and waiting areas where appropriate.

- Maintain economic viability for businesses by:
  - ensuring vehicle access is the third and subsidiary form of access
  - maintaining, upgrading and providing additional pedestrian and cycle links/paths.

- Make the most effective use of existing car parking for a range of day and night time users.

- Support the provision of off-street car parking associated with new development that is accessible to multiple users as part of a shared use arrangement.

- Ensure built form and development is focused around public and community based transport systems that support the majority of resident and workforce travel needs.

Urban Design and Heritage

- Conserve and incorporate heritage elements into new development where viable to acknowledge and enhance the social and cultural history of Northcote.

- Improve civic and streetscape spaces to promote social and economic vibrancy within the centre.

- Focus High Street as a pedestrian promenade for convenience and niche retailing and entertainment.

- Recognise and conserve the significant heritage and valued urban character elements of the Activity Centre.

- Ensure new development creates human scale spaces that promote casual interaction, including between neighbours.

- Incorporate preferred building heights, setbacks and other design principles to encourage a pedestrian friendly environment at street level and consolidated built form that promotes sustainability.

- Encourage the incorporation of public seating and public and community art works into major new developments and redevelopment of existing forecourts.

- Encourage development that incorporates best practice environmentally sustainable design features.
- Encourage active frontage at ground level and opportunities for casual surveillance from upper levels to enhance personal safety.
- Maintain, improve or create key public destination points in identified areas.
- Design development to minimise noise impacts from entertainment and commercial uses and ensure new residential use and development in business zones incorporates noise attenuation measures to protect occupants from such activities.

Community Identity
- Make appropriate provision for community services to meet the needs of Northcote and the broader region
- Provide a range of open spaces for community gathering and enjoyment of views.

Precinct requirements
The following policies apply to the ten precincts identified in Map 1 Activity Centre and Precincts. These should be read in addition to the general policy requirements detailed above and should also be met.

Arthurton Road – Precinct AR
This precinct provides opportunities for a revitalised office and commercial-based mixed use hub. Redevelopment should maximise employment opportunities and activities which support the retail spine of High Street and facilitate active frontage to Arthurton Road.

Use
- Encourage a range of:
  - uses with a focus on business, employment and mixed use activity, including complementary retail, to support the retail core of High Street
  - housing types including a proportion of affordable housing and provision for flexible dwelling floor plans.

Built form
- Design new development and re-development to:
  - maximise opportunities for intensive multi-storey development and avoid underdevelopment
  - provide an appropriate built form transition at identified interface areas within and between precincts
  - respect the key views from the All Nations Park hilltop to the west
  - facilitate active frontage to public and private streets, car parks and pathways
  - incorporate additional or improved walkways or streets to improve access within the precinct and between the precinct and key destination points within the activity centre.

Central Northcote – core convenience retail – Precinct CN
This precinct is an area of high change. New development should support an integrated public, pedestrian and street-based continuous retail edge along Separation Street between High Street and Northcote Plaza to complement the enclosed shopping centres.

Use
- Increase diversity and intensity of use on sites, particularly between Robbs Parade and Separation Street.
- Encourage retail and/or business frontage along Separation Street between
Northcote Plaza and High Street.

**Built form**

In addition to the general policies:

- Design new development and re-development to:
  - modify the street network to facilitate bus and local vehicle movement through Robbs Parade between High Street and Northcote Plaza
  - orientate retail development outwardly to address public streets and spaces and provide active ground floor frontages
  - integrate redevelopment sites in identified areas with off-street public car parking, pedestrian links to High Street and better service vehicle access between specified streets
  - protect the access and operational requirements of the Northcote Police Station Complex.

**High Street North – Precinct HN**

This precinct is an area of moderate change. The precinct should reflect a mix of activities supporting the core convenience retail area along High Street.

**Use**

- Support redevelopment with an emphasis on office use, commercial and non core retail use at ground floor level with intensified residential use above.

**Croxton Precinct CR**

This precinct includes large sites, providing opportunity for large-scale mixed use multi-storey commercial and residential development that can reinforce both the Thornbury and Northcote Activity Centres and Croxton railway station.

**Use**

- Ensure there is a clear distinction in use between other precincts in the Activity Centre and between the Thornbury Activity Centre to the north.
- Consider ground floor residential use on the east side of High Street, provided safe and active surveillance can be maintained.

**Built form**

- Design new development and re-development to:
  - provide a clear distinction in built form between other precincts in the Activity Centre and between the Thornbury Activity Centre to the north
  - introduce additional landscaping on the east side of High Street
  - maintain the existing ground floor small commercial and retail scale on the west side of High Street to complement existing character
  - allow for the widening of rear laneways to facilitate better service access to the rear of premises.

**High Street South – Precinct HS**

This precinct is an area of moderate change, and a core pedestrian, cycle and transport spine. Development should support a mix of uses subject to addressing heritage, character, access and land use conflict issues.
Use
- Support a mix of local convenience retail, restaurants and speciality retail uses, and upper level office and residential uses which consolidate the retail and entertainment core.
- Encourage a range of day and night time uses that can add to the vibrancy of the centre.

Built form
- Retain consistent building setbacks with occasional interruption through additional setbacks to provide visual interest.
- Design new development and re-development to incorporate or improve public access through shops to rear parking areas including links to the south of 250 High Street and through the Uniting Church to Eastment Street.

Town Hall - Precinct TH
This precinct supports the civic function of the Town Hall and Civic Square, and promotes the area as a key destination point. Significant view lines into and out of this precinct need to be considered in the form and location of any new development.

Use
- Encourage the reuse of the former Police Station building at 43 James Street as an art/business incubator.
- Support residential, office or commercial uses that consolidate and support the Activity Centre.

Built form
- Facilitate clear safe access links in new buildings and redevelopment to help draw people to the precinct.
- Incorporate an active frontage with the former Police Station building in any development on the car park site, west of the Town Hall.
- Support higher built form that frames the Town Hall and Civic Square and respects the landmark status of the Town Hall building.
- Support the redevelopment of identified parcels of land in accordance with specified design outcomes and design requirements.

Creative Communities Precinct CC
This precinct comprises areas of moderate change. New development should offer the opportunity to live/work in the same premises and conserve the area’s heritage value as an active workplace environment.

Use
- Support new uses that acknowledge the mixed use character of the precinct, including mixed live/work environments designed for flexibility in use over time.
- Ensure new night time use proposals respond appropriately to the mixed use character of the precinct.

Built form
- Retain and conserve the existing building character of the area.
- Design new building form to integrate with adjoining and nearby building forms.
- Design development in Helen Street and Eastment Street to improve surveillance of the following spaces:
  - Arthurton Road car park
- Helen Street Park and adjacent parking areas.

- Design development to achieve a new pedestrian link from High Street to Eastment Street.

- Support service vehicle access in Eastment, Frederick and Wimble Streets and the Arthurton Road car park without dominating street frontages.

- Accept zero building setbacks to:
  - front and side boundaries in Eastment Street (provided some relief exists for alternating setbacks and landscape spaces along the frontage)
  - the rear of High Street
  - fronting the Arthurton Road car park.

- Design new development abutting existing laneways to facilitate potential widening to improve east-west pedestrian links.

**Northcote Railway Station – Precinct RS**

This precinct focuses on the Northcote Railway Station and its integration with the Activity Centre. Increased patronage of the rail service and passive surveillance of the area is encouraged.

**Use**

- Retain the use of existing station buildings for railway purposes.

- Retain open space around the railway station for passive recreation and public use.

**Built form**

- Encourage enhanced pedestrian links between the railway station and High Street.

- Support streetscape works to enhance the station’s visual connection to Arthurton Road.

- Support the conservation of the station buildings as elements of community value and significance.

**Medium Change Residential – Precinct MCR**

This precinct will absorb more extensive change whilst remaining principally residential in use to support the Activity Centre.

**Use**

- Support increased housing densities and intensification of development.

- Support discretionary semi business use/s in Dennis Street recognising the interface between core commercial and core residential areas.

**Built form**

- Require applications for development to address heritage considerations in writing where relevant.

- Encourage redevelopment in specified streets.

- Allow higher building forms (3-4 storeys) where off-site amenity impacts can be minimized.

**Low Change Residential – Precinct LCR**

The future role and character of these areas will continue to reflect Northcote’s signature small scale, relatively dense, conventional residential housing, minor infill development, and larger family dwellings in the eastern parts of the Activity Centre.
Use
- Support discretionary semi-business use/s in Dennis Street recognising the interface between core commercial and core residential areas.

Built form
- Support infill development within low change residential areas.
- Require applications for development to address heritage considerations in writing where relevant.
- Consider the retention of dwellings of heritage significance and/or that contribute to the valued urban character of the area.
- Maintain rear yards and streetscape elements that contribute to urban character.
- Ensure that new development respects the character of the area.

Application Requirements
All applications must include a written statement outlining how the proposal meets the objectives of this policy.

Decision Guidelines
Before deciding on an application the Responsible Authority must consider, as appropriate:
- The extent to which any application meets the objectives of this policy.
- The matters contained in the Northcote Activity Centre Structure Plan, April 2007.
- Use of environmentally sustainable techniques.
- Whether development reinforces the existing building forms of Northcote.

Policy References
Northcote Activity Centre Structure Plan, April 2007
High Street Urban Design Framework and High Street Study Precinct Guidelines 2005
Northcote Activity Centre Medium and Low Change Residential Areas Precinct Guidelines, 2008
Map 1 Activity Centre and Precincts
PRESTON CENTRAL (INCREMENTAL CHANGE)

This policy applies to:

- Precinct L: Taunton Avenue East
- Precinct M: Gower Street South
- Precinct N: Residential Southeast
- Precinct O: Residential East
- Precinct P: Bell Street West, except for:
  - 1, 2, 1/3, 2/3, 4, 5, 6 Leicester St, Preston
  - 422, 430, 434-436, 438, 440, 450-456 Bell Street, Preston
- Precinct Q: Spring Street, except for properties fronting:
  - St Georges Road,
  - The south side of Cramer Street,
  - The north side of Cramer Street between St Georges Road and Bond Street; and
  - the south side of Murray Road between St Georges Road and Bond Street.
- Precinct R: William Street except for heritage precincts in HO180 and HO183
- Precinct S: David Street East
- Precinct T1: Residential Southwest except for heritage precincts in HO179, HO182 and HO184, and properties fronting Edith Street and 12, 14, 16 Bruce Street.
- Precinct T2: Emery and Donavon Streets

as identified in the Preston Central Structure Plan 2006 (as amended) and shown on Policy Areas Map 1 that forms part of this policy.

Policy basis

The MSS recognises the strategic importance of the Preston Central Activity Centre and the need to encourage economic growth and improvement in the centre’s appearance and performance. The MSS also sets down important Council strategies in respect to Housing, Urban Design and Sustainability.

This policy applies to the residential precincts included within the Preston Central Structure Plan area. It aims to implement the strategies set down in Council’s MSS and in addition, to implement the directions and objectives of the metropolitan strategy by strengthening the role of the Preston Central Activity Centre and encouraging appropriate expansion and development.

The policy does not seek to replicate policies set down in Clauses 22.02 Neighbourhood Character. It should be applied in conjunction with that policy and the detailed provisions contained in Clauses 54 and 55.

Objective

To ensure that use and development within the Preston Central Activity Centre is generally in accordance with the Preston Central Structure Plan 2006 (as amended).

- To protect valued residential character.
- To discourage underdevelopment.
- To encourage the development of underutilised sites and redundant buildings.
Policy

The future role and character of each precinct should be achieved through incremental change. All new development will contribute to valued or preferred neighbourhood character. Applications for new development should include details of methods to contribute to environmental sustainability, including energy efficiency principles, water conservation principles and water sensitive urban design.

Applications for buildings and works, and use proposals greater than 1000 square metres gross floor area, should be accompanied by an Integrated Transport Plan to the satisfaction of the Responsible Authority. If in the opinion of the Responsible Authority the Plan or an element of it is not relevant to the assessment of the application, the Responsible Authority may waive the requirement or element.

Precinct L: Taunton Avenue East
- Achieve higher density residential development
- Encourage development to overlook the railside path
- Utilise the land adjacent to the railway line for improved open space.

Precinct M: Gower Street South
- Encourage higher density apartment buildings
- Encourage development in the form of low-rise buildings of a three to four storey scale.

Precinct N: Residential Southeast
- Encourage medium density development of a three storey scale in the form of attached townhouses
- Encourage the setback of the third storeys of new buildings to reduce their visibility from the street
- Encourage rear vehicular access where possible
- Discourage solid high front fences.

Precinct O: Residential East
- Encourage higher density apartment buildings
- Encourage medium density development of a three storey scale facing Murray Road and Gower Street and of a two storey scale elsewhere in this precinct.

Precinct P: Bell Street West
- Encourage medium density development of a two and three storey scale
- Encourage development to have the appearance of a single dwelling at first glance where possible
- Encourage the third storeys of development to be setback to reduce their visibility from the street.
- Discourage solid high front fences.

Precinct Q: Spring Street
- Encourage medium density development of a two to three storey scale to have the appearance of a single dwelling at first glance where possible
- Encourage the third storeys of development to be setback to reduce their visibility from the street.
- Discourage solid high front fences.

**Precinct R: William Street, Precinct S: David Street East and Precinct T1: Residential Southwest**

- Recognise and respect the existing low rise character of these precincts
- Limit new development on single lots to two storeys and setback the second storey to maintain the low rise scale from the street
- Encourage new medium density development to give the appearance of a single dwelling at first glance
- Discourage solid high front fences.

**Precinct T2: Emery and Donavon Streets**

- Encourage medium density development of a three storey scale
- Encourage development to have the appearance of a single dwelling at first glance where possible
- Encourage the third storeys of development to be setback to reduce their visibility from the street
- Discourage solid high front fences.

**Reference Documents**

*Preston Central Vision 2006, February 2001*, Planning by Design and City of Darebin

*Preston Central Implementation Plan September 2005*, David Lock Associates

*Preston Central Structure Plan 2006 (as amended) (including Preston Central Urban Design Framework and Guidelines, David Lock Associates)*

*Activity Centre Design Guidelines 2005* Department of Sustainability and Environment

Guidelines for the Application and Implementation of Travel Plans, 2005, City of Darebin

*Going Places - Darebin Transport Plan, 2007-2027*, City of Darebin

*City of Darebin Heritage Study: Volume 4a, Preston Central Heritage Assessment, Key Findings and Recommendations*, Context Pty Ltd, February 2008

Policy Areas Map 1
BELL STREET LAND USE

This policy applies to land in Bell Street between:

- James Street and Jessie Street on the north side of Bell Street
- the Merri Creek and Austral Avenue on the south side of Bell Street
- Patterson Street and the Darebin Creek on the north side of Bell Street
- Harold Street and the Darebin Creek on the south side of Bell Street

illustrated by Maps 1 and 2 of this Clause.

Policy Basis

This policy:

- Applies the State Planning Policy Framework ‘metropolitan development’ and ‘Economic Development’ objectives
- Builds on the Municipal Strategic Statement objectives in Clause 21.05 for housing, urban design, economic development and activity centres
- Applies the land use objectives and strategies of the Bell Street Strategy 2006.

Objectives

- To maintain the residential character of parts of Bell Street
- To encourage the consolidation of Restricted Retail uses west of Albert Street
- To maintain land east of Albert Street for industry.

Policy

It is policy to discourage commercial and industrial uses and encourage a mix of housing types in the General Residential Zone between:

- James Street and Jessie Street on the north side of Bell Street (Map 1, Area A)
- the Merri Creek and Austral Avenue on the south side of Bell Street (Map 1, Area A)
- Patterson Street and O’Keefe Street on the north side of Bell Street (Map 2, Area B)
- Harold Street and Victoria Street on the south side of Bell Street (Map 2, Area B).

It is policy to encourage restricted retail uses to locate between:

- O’Keefe Street and Albert Street on the north side of Bell Street (Map 2, Area C)
- Victoria Street and Albert Street on the south side of Bell Street (Map 2, Area C)

and to consolidate that part of Bell Street as a bulky goods precinct by encouraging more intensive development of key sites.

For the properties along Bell Street depicted in Map 2, Area D, it is policy to:

- Encourage the wholesale and distribution, transport and storage and property services sectors
- Encourage the redevelopment of vacant and under-utilised sites

Policy reference

Bell Street Strategy, Hansen Partnership, 2006

Industrial Land Use Strategy, City of Darebin, November 2001

Retail Activity Centres Strategy, Essential Economics Pty Ltd, Planning by Design & David Lock and Associates, 2005
Map 1 – James Street to Jessie Street (north side)

Merri Creek to Austral Avenue (south side)
Map 2 – Patterson Street to Darebin Creek (north side)

Harold Street to Darebin Creek (south side)
ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

This policy applies throughout the City of Darebin to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy.

Policy Basis

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 21.01-4 of the Municipal Strategic Statement relating to environmentally sustainable built environments.

The City of Darebin is committed to creating an environmentally sustainable city. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life cycle of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of exemplary private projects and promotion of the use of materials with favourable life cycle impacts.

Objectives

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life cycle of the build.

It is a policy objective to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
- To reduce total operating greenhouse gas emissions.
- To reduce energy peak demand through particular design measures (e.g., appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

**Water resources**
- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (e.g., greywater).

**Indoor Environment Quality**
- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxic chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

**Stormwater Management**
- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.
- To achieve best practice stormwater quality outcomes.
- To incorporate the use of water sensitive urban design, including stormwater re-use.

**Transport**
- To ensure that the built environment is designed to promote the use of walking, cycling and public transport in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

**Waste management**
- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

**Urban Ecology**
- To protect and enhance biodiversity within the municipality.
- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
To encourage the provision of space for productive gardens, particularly in larger residential developments.

Policy

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

Application Requirements

An application must be accompanied by either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP) as specified in Table 1, as appropriate.

A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative approach to the satisfaction of the responsible authority; and
- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site’s opportunities and constraints.

A Sustainability Management Plan should:

- Provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- Identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and
- Demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site’s opportunities and constraints; and
- Document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

Table 1 – ESD Application Requirements

<table>
<thead>
<tr>
<th>Type of development</th>
<th>Application requirements</th>
<th>Example tools</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation / Mixed Use with residential component:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ 3- 9 dwellings; or</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS STORM</td>
</tr>
<tr>
<td>☐ Development of a building for accommodation (other than dwelling) with a gross floor area between 100m² to 999m².</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ 10 or more dwellings; or</td>
<td>Sustainability Management Plan (SMP)</td>
<td>BESS Green Star</td>
</tr>
<tr>
<td>☐ Development of a building for accommodation (other than dwelling) with a gross floor area of 1000m² or more.</td>
<td></td>
<td>MUSIC STORM</td>
</tr>
<tr>
<td><strong>Non-residential:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ Development of a non-residential building with a gross floor area between 100m² to 999m²; or</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS MUSIC</td>
</tr>
<tr>
<td>☐ Alterations and additions of 100m² to 999m².</td>
<td></td>
<td>STORM</td>
</tr>
<tr>
<td>☐ Development of a non-residential building with a gross floor area of 1000m² or more; or</td>
<td>Sustainability Management Plan (SMP)</td>
<td>Green Star</td>
</tr>
</tbody>
</table>
### Decision Guidelines

In determining an application, the responsible authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.
- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise).

### Reference Documents

**BESS (Built Environment Sustainability Scorecard),** Council Alliance for a Sustainable Built Environment (CASBE), 2015. www.bess.net.au


**Nationwide House Energy Rating Scheme (NatHERS),** Department of Climate Change and Energy Efficiency, www.nathers.gov.au


**Note:** The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

### Commencement

The ESD Application Requirements in Table 1 do not apply to applications received by the responsible authority before the gazette date of this clause.

### Expiry

This policy will expire if it is superseded by a comparable provision in the Victoria Planning Provisions.
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.
# 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>
</tbody>
</table>
| Bed and breakfast                         | No more than 10 persons may be accommodated away from their normal place of residence.  
<pre><code>                                       | At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.  |
</code></pre>
<p>| 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)   |                                                                           |
| Food and drink premises                   | The leasable floor area must not exceed 150 square metres.                |
| Home based business                       |                                                                           |
| Informal outdoor recreation               |                                                                           |
| Medical centre                           | The gross floor area must not exceed 250 square metres.                   |
| Museum                                   |                                                                           |
| Office (other than Medical centre)        | The leasable floor area must not exceed 250 square metres.                |
| Place of worship                         | The gross floor area of all buildings must not exceed 250 square metres.  |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>– if the Section 1 condition is not met</td>
<td></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>Must not be a purpose listed in the table to Clause 53.10.</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>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
</tbody>
</table>
Use

Extractive industry
Materials recycling
Transfer station

32.04-3
31/07/2018
VC148

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4
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>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.

Clauses 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.

Clauses 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.
Class of application

- 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.

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.

---

### 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>

32.04-7
15/07/2013
VC100

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.

32.04-8
26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-9
26/10/2018
VC152

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 | Information requirements and decision guidelines
--- | ---
- A11 Walls on boundaries. |  
- A12 Daylight to existing windows. |  
- A13 North-facing windows. |  
- A14 Overshadowing open space. |  
- A15 Overlooking. | 

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

### 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 systems 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.
SCHEDULE 1 TO CLAUSE 32.04 MIXED USE ZONE

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

DAREBIN 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 MUZ1.

STRATEGIC CORRIDORS – COMMERCIAL FOCUS

1.0

Objectives
To encourage the provision of an active frontage through commercial uses at ground level where an active frontage has been nominated in a Schedule to the Design and Development Overlay.

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>
<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
None specified

4.0

Exemption from notice and review
None specified

5.0

Application requirements
None specified

6.0

Decision guidelines
None specified
SCHEDULE 3 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ3**.

PUBLIC HOUSING RENEWAL – WALKER STREET, NORTHCOTE

1.0

Objectives

- To facilitate the renewal of Walker Street site.
- To provide for housing diversity.
- To provide for limited non-residential uses in appropriate locations where potential amenity impacts as result of the uses can be appropriately managed.
- To minimise the loss of landscape and open space areas on the site through increased building heights.
- To integrate with the surrounding area.

2.0

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

Maximum building height requirement

None specified.

4.0

Exemption from notice and review

None specified.

5.0

Application requirements

None specified.

6.0

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 proposal meets the objectives of this Schedule.
- Whether the built form and land use response is consistent with the requirements of Schedule 13 to the Development Plan Overlay within the Darebin Planning Scheme.
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide housing at increased densities in buildings up to and including four storey buildings.
To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
To ensure residential development achieves design objectives specified in a schedule to this zone.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Design objectives

A schedule to this zone must contain the design 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. 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>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a 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>
</tbody>
</table>
### Condition

<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>
</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></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>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------</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>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</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>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
</tbody>
</table>
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>
<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

- 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 and extension of one dwelling on a lot

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
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.

### 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 32.07-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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>
<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 Looking.</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.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

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 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 systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

**Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.

- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.

- For the construction and extension of one dwelling on a lot, 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.
SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1.

SUBSTANTIAL HOUSING CHANGE AREAS

1.0

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>

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
SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ2.

GARDEN APARTMENT AREAS

1.0

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 None specified</td>
</tr>
<tr>
<td></td>
<td>B6 Front street setback: In accordance with B6 or 5 metres, (whichever is the lesser) plus an additional 2 metres for heights above 2 storeys (6.9 metres and above).</td>
</tr>
<tr>
<td></td>
<td>Side Street setback: None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 None Specified</td>
</tr>
<tr>
<td></td>
<td>B8 80 per cent</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 None specified</td>
</tr>
<tr>
<td></td>
<td>B9 15 per cent</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13 On sites with a frontage of less than 22 metres, a minimum of one semi-mature canopy tree within both the front and rear setbacks. On sites with a frontage greater than 22 metres, a minimum of two semi-mature canopy trees within both the front and rear setbacks. Where a 3 metre side setback is required this must include an area for deep root planting. A clear area of 4.5 metres x 4.5 metres is required to accommodate each semi-mature canopy tree. This may include land on an adjoining lot.</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 None Specified</td>
</tr>
<tr>
<td></td>
<td>B17 Side Setbacks In accordance with B17 except as follows for sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible):</td>
</tr>
<tr>
<td></td>
<td>• Within the first 25 metres of the site as measured from the frontage, 0 metres for building heights up to 2 storeys (6.9 metres), and 3 metres for heights over 2 storeys (6.9 metres and above); and</td>
</tr>
<tr>
<td></td>
<td>• For the remaining length of the site, a minimum setback of 3 metres for building heights up to 2 storeys (6.9 metres) and a minimum setback of 6 metres for heights over 2 storeys (6.9 metres).</td>
</tr>
<tr>
<td>Rear Setbacks</td>
<td>Minimum setback of 3 metres, plus an additional 2.5 metres for height between 3.6 metres and 8.5 metres, plus 1 metre for every 1 metre of height over 8.5 metres.</td>
</tr>
</tbody>
</table>
For sites with rear lane access, the setback is as above, but is measured from the opposite boundary (i.e. the setback may include the width of the laneway).

<table>
<thead>
<tr>
<th>Walls on boundaries</th>
<th>A11</th>
<th>None specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>B18</td>
<td></td>
<td>On sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible), either:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Within the first 25 metres of the site as measured from the frontage, 20 metres or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed wall that has been approved under these provisions;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>whichever is greater.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On sites with a frontage less than 22 metres (or 16 metres where rear or side vehicle access is possible), the above can apply for a maximum of one side only. The maximum length of wall on boundary on the opposing side boundary is as per Standard B18.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Within the first 25 metres of the site as measured from the frontage, the height of a new wall constructed on or within 200 millimetres of a side or rear boundary should not exceed 6.9 metres.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unless a 3 metre side setback is required, the height of any boundary wall beyond 25 metres of the site’s frontage should accord with Standard B18.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Private open space</th>
<th>A17</th>
<th>None specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>B28</td>
<td></td>
<td>An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Front fence height</th>
<th>A20</th>
<th>None specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>B32</td>
<td></td>
<td>A maximum of 1.5 metres with at least 25% visual transparency above 1.2 metres.</td>
</tr>
</tbody>
</table>

**Maximum building height requirement for a dwelling or residential building**

None specified.

**Application requirements**

An application to construct two or more dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority:

- Landscape concept design.
- Urban design context report and design response.
- Sustainability assessment.
- Acoustic assessment for development sites that adjoin a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) or land containing non-residential uses with the potential to cause amenity impacts as a result of noise.
- Waste management plan.

### Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Whether the development seeks to achieve the development outcomes encouraged through the *Residential Built Form Guidelines, 2014*.
- Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.
- Whether the mass of the development is located towards the street frontage and provides an acceptable level of visual bulk towards the rear of the lot.
- Whether the building composition provides for a distinguishable base, middle and top and appropriate levels of design treatment to each element, while incorporating consolidated upper setbacks to avoid a tiered ‘wedding’ cake form.
- 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.
- The potential and ability to consolidate lots to create large
SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ3.

GARDEN APARTMENT AREAS – 4 STOREY RESTRICTION

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 None specified</td>
</tr>
<tr>
<td>Front street setback</td>
<td>B6 In accordance with B6 or 5 metres, (whichever is the lesser) plus an additional 2 metres for heights above 2 storeys (6.9 metres and above).</td>
</tr>
<tr>
<td>Side Street setback</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 None Specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>B8 80 per cent</td>
</tr>
<tr>
<td>B9 15 per cent</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13 On sites with a frontage of less than 22 metres, a minimum of one semi-mature canopy tree within both the front and rear setbacks. On sites with a frontage greater than 22 metres, a minimum of two semi-mature canopy trees within both the front and rear setbacks. Where a 3 metre side setback is required this must include an area for deep root planting. A clear area of 4.5 metres x 4.5 metres is required to accommodate each semi-mature canopy tree. This may include land on an adjoining lot.</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 None Specified</td>
</tr>
<tr>
<td>Side Setbacks</td>
<td>B17 Side Setbacks</td>
</tr>
<tr>
<td>Within the first 25 metres of the site as measured from the frontage, 0 metres for building heights up to 2 storeys (6.9 metres), and 3 metres for heights over 2 storeys (6.9 metres and above); and</td>
<td></td>
</tr>
<tr>
<td>For the remaining length of the site, a minimum setback of 3 metres for building heights up to 2 storeys (6.9 metres) and a minimum setback of 6 metres for heights over 2 storeys (6.9 metres).</td>
<td></td>
</tr>
<tr>
<td>Rear Setbacks</td>
<td>Minimum setback of 3 metres, plus an additional 2.5 metres for height between 3.6 metres and 8.5 metres, plus 1 metre for every 1 metre of height over 8.5 metres. For sites with rear lane access, the setback is as above, but is measured from the opposite boundary (i.e. the setback may include the width of the laneway).</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 None specified</td>
</tr>
</tbody>
</table>
### Requirement

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>B18</td>
<td>On sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible), either:   * Within the first 25 metres of the site as measured from the frontage, 20 metres or   * where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed wall that has been approved under these provisions; whichever is greater.</td>
</tr>
<tr>
<td></td>
<td>On sites with a frontage less than 22 metres (or 16 metres where rear or side vehicle access is possible), the above can apply for a maximum of one side only. The maximum length of wall on boundary on the opposing side boundary is as per Standard B18.</td>
</tr>
<tr>
<td></td>
<td>Within the first 25 metres of the site as measured from the frontage, the height of a new wall constructed on or within 200 millimetres of a side or rear boundary should not exceed 6.9 metres.</td>
</tr>
<tr>
<td></td>
<td>Unless a 3 metre side setback is required, the height of any boundary wall beyond 25 metres of the site’s frontage should accord with Standard B18.</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>B28</td>
<td>An area of 25 square metres, with 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.</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20</td>
</tr>
<tr>
<td>B32</td>
<td>A maximum of 1.5 metres with at least 25% visual transparency above 1.2 metres.</td>
</tr>
</tbody>
</table>

### Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 4 storeys (13.5 metres). This does not apply to:

- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.

A lift overrun, plant and services that are appropriately screened and other building appurtenances may exceed the mandatory height requirements by no more than 1.2 metres.

In areas subject to the Special Building Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.

### Application requirements

An application construct more than two dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority:

- Landscape concept design.
- Urban design context report and design response.
- Sustainability assessment.
• Acoustic assessment for development sites that adjoin a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) or land containing non-residential uses with the potential to cause amenity impacts as a result of noise

• Waste management plan.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

• Whether the development seeks to achieve the development outcomes encouraged through the *Residential Built Form Guidelines, 2014*.

• Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.

• The potential and ability to consolidate lots to create larger development sites.
SCHEDULE 4 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

SUBSTANTIAL HOUSING CHANGE AREAS - 4 STOREY RESTRICTION

1.0

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>Front fence height</td>
<td>A20 and B32</td>
<td>None Specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>B28</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 4 storeys (13.5 metres).

This does not apply to:

- An extension of an existing building or the construction of a new building that exceeds the specified building height which does not exceed the height of immediately adjacent buildings facing the same street.
- The rebuilding of a lawful building or works which have been damaged or destroyed.

A lift overrun, plant and services that are appropriately screened and other building appurtenances may exceed the mandatory height requirements by no more than 1.2 metres.

In areas subject to the Special Building Overlay, the maximum building height may be exceeded by no more than the minimum additional building height required by the overlay provisions.

3.0

Application requirements

None specified

4.0

Decision guidelines

None specified
SCHEDULE 5 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ5.

URBAN APARTMENT AREAS

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</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B6</td>
<td>Front street setback:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In accordance with B6 or 3 metres, (whichever is the lesser) plus an additional 2 metres for heights above 2 storeys (6.9 metres and above).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side Street setback:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5</td>
<td>None Specified</td>
</tr>
<tr>
<td></td>
<td>B8</td>
<td>80 per cent</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B9</td>
<td>10 per cent</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>Landscaping should allow for interaction between the public and private spaces.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Where a 3 metre setback is required, this must include an area of for deep root planting for a medium sized tree.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A clear area of 4.5 metre x 4.5 metre is required to accommodate a semi-mature canopy tree within side and rear boundary setbacks at a rate of 1 tree per ground level dwelling that adjoins the setback. This may include land on an adjoining lot.</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10</td>
<td>None Specified</td>
</tr>
<tr>
<td></td>
<td>B17</td>
<td>Side Setbacks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>In accordance with B17 except as follows for sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Within the first 25 metres of the site as measured from the frontage, 0 metres for building heights up to 2 storeys (6.9 metres), and 3 metres for heights over 2 storeys (6.9 metres and above); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• For the remaining length of the site, a minimum setback of 3 metres for building heights up to 2 storeys (6.9 metres) and a minimum setback of 6 metres for heights over 2 storeys (6.9 metres).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear Setbacks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum setback of 3 metres, plus an additional 2.5 metres for height between 3.6 metres and 8.5 metres, plus 1 metre for every 1 metre of height over 8.5 metres.</td>
</tr>
</tbody>
</table>
For sites with rear lane access, the setback is as above, but is measured from the opposite boundary (i.e. the setback may include the width of the laneway).

### Walls on boundaries

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A11</td>
<td>None specified</td>
</tr>
<tr>
<td>B18</td>
<td>On sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible), either:</td>
</tr>
<tr>
<td></td>
<td>- Within the first 25 metres of the site as measured from the frontage, 20 metres or</td>
</tr>
<tr>
<td></td>
<td>- Where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed wall that has been approved under these provisions; whichever is greater.</td>
</tr>
<tr>
<td></td>
<td>On sites with a frontage less than 22 metres (or 16 metres where rear or side vehicle access is possible), the above can apply for a maximum of one side only. The maximum length of wall on boundary on the opposing side boundary is as per Standard B18.</td>
</tr>
<tr>
<td></td>
<td>Within the first 25 metres of the site as measured from the frontage, the height of a new wall constructed on or within 200 millimetres of a side or rear boundary should not exceed 6.9 metres.</td>
</tr>
<tr>
<td></td>
<td>Unless a 3 metre side setback is required, the height of any boundary wall beyond 25 metres of the site’s frontage should accord with Standard B18.</td>
</tr>
</tbody>
</table>

### Private open space

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td>B28</td>
<td>An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room, or</td>
</tr>
<tr>
<td></td>
<td>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</td>
</tr>
<tr>
<td></td>
<td>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</td>
</tr>
</tbody>
</table>

### Front fence height

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A20</td>
<td>None specified</td>
</tr>
<tr>
<td>B32</td>
<td>A maximum of 1.2 metres.</td>
</tr>
</tbody>
</table>

## Maximum building height requirement for a dwelling or residential building

None specified.

### Application requirements

An application to construct two or more dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority:

- Landscape concept design.
- Urban design context report and design response.
- Sustainability assessment.
• Acoustic assessment for development sites that adjoin a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) or land containing non-residential uses with the potential to cause amenity impacts as a result of noise.

• Waste management plan.

4.0 Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

• Whether the development seeks to achieve the development outcomes encouraged through the Residential Built Form Design Guidelines, 2014.

• Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.

• Whether the mass of the development is located towards the street frontage and provides an acceptable level of visual bulk towards the rear of the lot.

• Whether the building composition provides for a distinguishable base, middle and top and appropriate levels of design treatment to each element, while incorporating consolidated upper setbacks to avoid a tiered ‘wedding’ cake form.

• 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.

• The potential and ability to consolidate lots to create larger development sites.

• Whether the proposed development achieves active frontage outcomes for non-residential uses at ground floor interfacing the street edge, and any necessary dispensation of the height requirements to accommodate the non-residential uses at ground floor.
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>
<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 not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road 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></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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</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 accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td>Must be no more than 5 animals.</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>Must be no more than 5 animals.</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>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Market</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, nightclub and Place of worship)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Must be no more than 5 animals.</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

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condition Use</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>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>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</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

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Extractive industry
- 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
- 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.

<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>
<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>
</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.

**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>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>
<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.

### 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 systems 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.
32.08-15

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.

MODEST CHANGE AREAS

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?

No

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>50%</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>An area of 55 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 40 square metres, a minimum dimension of 3.5 metres and convenient access from a living room,</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.
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2.

DAREBIN GENERAL RESIDENTIAL AREAS

1.0 Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>Question</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?</td>
<td>None specified</td>
</tr>
</tbody>
</table>

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
SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as R1Z.

GENERAL RESIDENTIAL AREAS

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?

No

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>
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<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>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>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>
</tbody>
</table>
## Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site must not exceed either:</td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td>- 3000 square metres.</td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</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>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</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>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Horse husbandry</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>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### 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>
<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>
</tbody>
</table>
**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>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>
<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.

32.09-10

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 systems 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.

MINIMAL CHANGE AREAS

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>Minimum street setback</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3 and B6</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Site coverage</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A5 and B8</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permeability</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A6 and B9</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landscaping</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>B13</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Side and rear setbacks</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A10 and B17</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Walls on boundaries</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A11 and B18</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Private open space</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A17</td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

| B28 | None specified |

<table>
<thead>
<tr>
<th>Front fence height</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A20 and B32</td>
<td>None specified</td>
<td></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</td>
<td>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
<tr>
<td>and Transfer station)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</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></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>• Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td></td>
<td>• Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</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>

Informal outdoor recreation

Mail centre

Railway
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Service station                         | The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
- Transport of materials, goods or commodities to or from the land.  
- Appearance of any stored goods or materials.  
Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Shipping container storage              | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.  
The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:  
- The threshold distance, for a purpose listed in the table to Clause 53.10.  
- 100 metres, for a purpose not listed in the table to Clause 53.10.  
Must not:  
- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.  
- Require a notification under the Occupational Health and Safety Regulations 2017.  
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.  
- Require a licence under the Dangerous Goods (HCDG) Regulations 2016.  
The site must adjoin, or have access to, a road in a Road Zone.  
Shipping containers must be setback at least 9 metres from a road in a Road Zone.  
The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
- Transport of materials, goods or commodities to or from the land.  
- Appearance of any stored goods or materials.  
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Take away food premises                 |                                                                                                                                                                                               |
| Tramway                                 |                                                                                                                                                                                               |
| Warehouse (other than Mail centre and Shipping container storage) | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.  


Use | Condition
---|---
The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not:

- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
- Require a notification under the Occupational Health and Safety Regulations 2017.
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.
- Require a licence under Dangerous Goods (HCDG) Regulations 2016.

Must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

| Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

<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>
</tbody>
</table>

| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |  |
| Caretaker's house |  |

| Education centre | Must not be a primary or secondary school. |

| Leisure and recreation (other than Informal outdoor recreation) |  |

<p>| Materials recycling | The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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 an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</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 an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
</tbody>
</table>

Any other use not in Section 1 or 3

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>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Pig farm</td>
</tr>
<tr>
<td>Poultry farm</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)</td>
</tr>
</tbody>
</table>

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>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Clause 59.02</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 59.02</th>
<th></th>
</tr>
</thead>
<tbody>
<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:</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</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>$1,000,000 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>

**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 for office (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

---
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as 1N3Z.

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</td>
<td></td>
</tr>
<tr>
<td>production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor</td>
<td></td>
</tr>
<tr>
<td>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 listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
</tbody>
</table>

The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not:

- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
- Require a notification under the Occupational Health and Safety Regulations 2017.
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.
- Require a licence under Dangerous Goods (HCDG) Regulations 2016.
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| **Service station**                                                | The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.  
Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.  
The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:  
- The threshold distance, for a purpose listed in the table to Clause 53.10.  
- 30 metres, for a purpose not listed in the table to Clause 53.10.  
Must not:  
- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.  
- Require a notification under the Occupational Health and Safety Regulations 2017.  
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.  
- Require a licence under the Dangerous Goods (HCDG) Regulations 2016.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
- Transport of materials, goods or commodities to or from the land.  
- Appearance of any stored goods or materials.  
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil  

| **Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)** | Must adjoin, or be on the same lot as, a supermarket when the use commences.  
The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.  
The site must adjoin, or be within 30 metres of, a road in a Road Zone.                                                                                                                                       |

| **Supermarket**                                                    | The leasable floor area must not exceed 1800 square metres.  
The site must adjoin, or be within 30 metres of, a road in a Road Zone.  
Must be on land within an urban growth boundary and in metropolitan Melbourne.  

| **Take away food premises**                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| **Tramway**                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| **Warehouse (other than Fuel depot, Mail centre or Shipping container storage)** | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.  
The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:  
- The threshold distance, for a purpose listed in the table to Clause 53.10.  
- 30 metres, for a purpose not listed in the table to Clause 53.10.  
Must not:  
- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.  
- Require a notification under the Occupational Health and Safety Regulations 2017.  
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.  
- Require a licence under the Dangerous Goods (HCDG) Regulations 2016.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
- Transport of materials, goods or commodities to or from the land.  
- Appearance of any stored goods or materials.  
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil  

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<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>
<tr>
<td><strong>Section 2 - Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<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>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>
<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>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>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></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:
- 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 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>- 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 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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</strong></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 for office (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERICAL 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>
</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 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>Must not be a purpose listed in the table to Clause 53.10.</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>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
</tbody>
</table>
Use

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>
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<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>
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<tr>
<td>- The general direction of the common boundary does not change.</td>
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</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 provision specified in Column 2.

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<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>
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</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
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<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 systems 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.

34.01-9
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 for office (m²)</th>
<th>Maximum leasable floor area for shop (other than restricted retail premises) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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>
</tbody>
</table>
| Industry (other than Materials recycling and Transfer station) | Must not be a purpose listed in the table to Clause 53.10 with no threshold specified.  
|                                           | The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: 
|                                           | • The threshold distance, for a purpose listed in the table to Clause 53.10.  
|                                           | • 30 metres, for a purpose not listed in the table to Clause 53.10.  
|                                           | Must not:  
|                                           | • Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.  
|                                           | • Require a notification under the Occupational Health and Safety Regulations 2017.  
|                                           | • Require a licence under the Dangerous Goods (Explosives) Regulations 2011.  
<p>|                                           | • Require a licence under the Dangerous Goods (HCDG) Regulations 2016.  |
| Informal outdoor recreation               |                                                                           |
| Mail centre                              |                                                                           |
| Museum                                   |                                                                           |
| Office                                   |                                                                           |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal agency</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td>Railway</td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same land 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 land as the supermarket must not exceed 500 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>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 growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Must not exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Any use listed in 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, 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>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 recreation, Major sports and recreation facility and 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, Cinema, Cinema based entertainment facility, Circus and Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</td>
<td></td>
</tr>
<tr>
<td>Supermarket – if the Section 1 conditions are not met</td>
<td>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.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</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>Accommodation (other than Caretaker's house and Residential hotel)</td>
</tr>
</tbody>
</table>
### Use

**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, 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% of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if 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 provisions 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>Clause 59.04</td>
</tr>
<tr>
<td></td>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
</tr>
<tr>
<td></td>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- Used for a Brothel or Adult sex product shop.</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 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 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.
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. 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>
<th>Condition</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 CLAUSE 36.01 PUBLIC USE ZONE

Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Health &amp; Community Precinct of La Trobe University Melbourne (Bundoora) Campus as identified at Map 1 to this Schedule.</td>
<td>Hospital Medical Centre Nursing Home Exhibition Centre Function Centre Library Hall Research and development centre</td>
<td>Must be approved by the public land manager and be consistent with the objects of the University under the La Trobe University Act 2009. A use and development must provide car parking spaces onsite to meet or exceed that required in Clause 52.06. A development must not exceed a height of 35 metres and 10 storeys.</td>
</tr>
<tr>
<td>The Sports &amp; Recreation Precinct of La Trobe University Melbourne (Bundoora) Campus as identified at Map 1 to this Schedule.</td>
<td>Leisure and recreation (other than a Motor racing track and Major sports and recreation facility) Exhibition Centre Function Centre Library Hall</td>
<td>Must be approved by the public land manager and be consistent with the objects of the University under the La Trobe University Act 2009. A use and development must provide car parking spaces onsite to meet or exceed that required in Clause 52.06. A development must not exceed a height of 21 metres and 6 storeys</td>
</tr>
<tr>
<td>The Research Innovation Precinct of La Trobe University Melbourne (Bundoora) Campus as identified at Map 1 to this Schedule.</td>
<td>Research and development centre Minor sports and recreation facility Exhibition Centre Function Centre Library Hall</td>
<td>Must be approved by the public land manager and be consistent with the objects of the University under the La Trobe University Act 2009. A use and development must provide car parking spaces onsite to meet or exceed that required in Clause 52.06. A development must not exceed a height of 28 metres and 8 storeys</td>
</tr>
<tr>
<td>All other land</td>
<td>None specified</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

Advertising sign requirements

<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>
Map 1 to the Schedule to Clause 36.01
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></td>
</tr>
<tr>
<td>Open sports ground</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 <em>Coastal Management Act</em> 1995</td>
</tr>
<tr>
<td></td>
<td>Must not be costeaming or bulk sampling.</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 <em>Local Government Act</em> 1989, the <em>Reference Areas Act</em> 1978, the <em>National Parks Act</em> 1975, the <em>Fisheries Act</em> 1995, the <em>Wildlife Act</em> 1975, the <em>Forest Act</em> 1958, the <em>Water Industry Act</em> 1994, the <em>Water Act</em> 1989, the <em>Marine Act</em> 1988, the <em>Port of Melbourne Authority Act</em> 1958, or the <em>Crown Land (Reserves) Act</em> 1978.</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>A use specified in an incorporated plan in a 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>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

Use

Brothel
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

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></td>
<td></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 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>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 2011.</td>
</tr>
<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 Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 (other than Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>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.</td>
</tr>
</tbody>
</table>
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 National Parks Act 1975. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must not be located on land reserved under the National Parks Act 1975. 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 National Parks Act 1975. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</td>
<td></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:
  - 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.
  - 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 Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.
- 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.

**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.

**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.

**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 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>Central Creek</td>
<td>Informal outdoor recreation</td>
<td>Must generally be in accordance with a landscape plan prepared to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td>Grasslands, Mahoneys Road, Reservoir</td>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pedestrian Pathways</td>
<td></td>
</tr>
</tbody>
</table>

The landscape plan may be amended at the request of the owner or manager of the land to the satisfaction of the responsible authority.

<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 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>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.
SPECIAL PURPOSE ZONES
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 Apiiculture)</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

37.03-5
19/01/2006
VC37

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

### Decision guidelines

37.03-6
31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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

37.03-7
31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
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></td>
</tr>
</tbody>
</table>
PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for projects and areas of regional or State significance.

To provide for a range of uses and the development of land in accordance with a plan incorporated in this scheme.

### 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>
</tbody>
</table>

Any other use not in Section 1 or 3 of the schedule to this zone

**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>

### Use of land

Any requirement in the schedule to this zone must be met.

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<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>
</tbody>
</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>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>

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>
</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. | |

| 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. | |

### 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 use land, to subdivide land or to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58
- Any guidelines in the schedule to this zone.

Signs

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

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.
SCHEDULE 1 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ1.

PRESTON MARKET

The Preston Market Incorporated Plan, 2007, Urbis JHD, is the Incorporated Plan under this schedule.

Land

This schedule applies to land known as the Preston Market, bounded by Murray Road to the north, Cramer Street to the south, the north-south road (known as Station Avenue) to the west, and the access road (Mary Street) to the rear of the High Street shops to the east. (Refer to Map 1 – Preston Market)

Objectives

- To implement the use and development objectives and design principles of the Preston Market Incorporated Plan (2007).
- To encourage intensive development and use of the land for retail, residential, office, entertainment, community and civic activity.
- To encourage high quality urban design that is responsive to the site's environs, improves local accessibility and permeability through the site, and provides active edges throughout the site.
- To provide opportunities for sustainable travel and increased use of public transport.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Hotel, Tavern or Convenience Restaurant must form part of an integrated development.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Landscape Gardening Supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly (other than Drive in)</td>
<td>Must not be located at ground floor.</td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop)</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 Camping and caravan park, Corrective Institution, Host farm and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Service industry (other than Motor repairs)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle, boat or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Retail Premises (other than a Betting agency, Food and drink premises, Postal agency, Shop)</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td></td>
</tr>
<tr>
<td>Warehouse</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>Adult sex bookshop</td>
</tr>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective Institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Drive-in theatre</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Host farm</td>
</tr>
<tr>
<td>Industry (other than service industry)</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Motor repairs</td>
</tr>
<tr>
<td>Primary produce sales</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Wind energy facility</td>
</tr>
<tr>
<td>Winery</td>
</tr>
</tbody>
</table>
Use of land

A permit is required for a ground floor use (not including entrances to upper level uses) that is not generally in accordance with the Preston Market Incorporated Plan 2007.

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the surrounding area, 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.

Management Plans

Land must not be used for the purpose of a hotel or tavern until a Management Plan has been approved by the Responsible Authority. The Management Plan must include, but is not limited to, measures to manage patron behaviour, security and measures to ensure that the operation of the use does not detrimentally affect the amenity of the locality. The use must operate in accordance with the approved Management Plan to the satisfaction of the Responsible Authority.

Land must not be used for the purpose of a child care centre until a Parking and Traffic Management Plan has been approved by the Responsible Authority. The use must operate in accordance with the approved Parking and Traffic Management Plan to the satisfaction of the Responsible Authority.

Application requirements

An application to use land must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.

Subdivision

A permit is required to subdivide land.

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Buildings and works

A planning permit is required to construct a building or to construct or carry out works.

This does not apply to:

- A building or works which is a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- The carrying out of works for the purpose of preliminary soil investigations and testing of soil.
- Maintenance or minor buildings and works to the existing Preston Market buildings to the satisfaction of the Responsible Authority.
A permit may be granted to construct a building or to construct or carry out works which exceed the preferred building heights identified within the incorporated plan. The height requirements in the incorporated plan do not apply to land as shown on Map 2 to this schedule.

Any new buildings or works must not exceed a maximum height of 9 metres (measured from ground level) for the existing market footprint area of the site, as shown on Map 2 to this schedule. This maximum height cannot be varied with a permit.

- This requirement ceases to have effect on 30 December 2020.

Application Requirements

An application to construct a building or to construct or carry out works must be generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan (2007), except as provided for above in relation to preferred building heights, and may be submitted for part or for the whole of the site.

An application must include or provide for the following, as appropriate:

- A Site Analysis and Design Response, including the boundaries and dimensions of the site, interface with adjoining land, buildings and roads, generally in accordance with the provisions of Clause 52.35, and identifying, as appropriate:
  - The proposed use and floor area of all buildings or spaces, including retention of a Fresh Food Market component.
  - Interfaces with the Preston Railway Station, proposed Station Square, the Oval and the surrounding transport network.

- The location and height of all buildings and works, including the number of storeys, relevant ground levels and building heights to Australian Height Datum (AHD).

- Detailed elevations and sections drawn to scale including heights to AHD and in metres as measured from existing ground level.

- Floor plans of existing conditions, including uses and floor areas.

- Floor plans drawn to scale detailing uses, floor areas and finished floor levels to AHD.

- Setbacks at ground and upper levels.

- If a low rise building is proposed and if the land is nominated as a medium or high rise site in the Incorporated Plan, structural details on how a taller building can be accommodated on the land at a later date.

- Treatments and measures to ensure that the Preston Market’s traditional retailing style, ambience and associated activities are retained.

- Treatments that provide active edges to adjoining streets or pedestrian areas.

- Materials, colours and finishes for all buildings and works.

- The location and layout of publicly accessible spaces and pedestrian access ways, as well as linkages to surrounding land and facilities including the Preston Railway Station.

- Details of opening hours and access arrangements for vehicles and pedestrians, including details of disabled access and measures for ensuring that pedestrian links through the site are accessible during the hours of operation of the station.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.

- Car parking and vehicle access arrangements in accordance with the provisions of the Integrated Transport Plan required by this clause.

- Landscaping and environmental provisions in accordance with the provisions of the Environmental Plan required by this clause.
Indicative locations for public art.

A report that addresses any required upgrading and/or construction of infrastructure.

Details of any proposed staging of the development, including interim arrangements for land use, pedestrian management, traffic management, car parking allocation and the provision to be made for future upper level development.

Overshadowing diagrams for 22 September.

**Integrated Transport Plan**

An application for buildings or works in excess of 1,000 square metres of gross floor area, must be accompanied by an Integrated Transport Plan to the satisfaction of the Responsible Authority. If in the opinion of the Responsible Authority, the Integrated Transport Plan or an element of the Integrated Transport Plan is not relevant to the assessment of an application, the Responsible Authority may waive the requirement or element.

Where an Integrated Transport Plan applies to existing public roads, the plan must be to the satisfaction of VicRoads and the Public Transport Corporation.

An Integrated Transport Plan must include or provide for the following, as appropriate:

- A description of current movement networks assessing existing infrastructure conditions for all modes.
- Physical works required to manage the transport effects of the development and where possible reduce barriers to access by pedestrians, cyclists and public transport users.
- The location of, and access to, car and bicycle parking facilities, including the proposed numbers of parking spaces and proposed car parking management arrangements.
- Hierarchy of primary and secondary vehicle movements from adjoining external roads.
- Circulation networks within and around the site for each transport mode.
- The expected number of trips generated by staff and visitors, delivery and service vehicles to the site.
- Integration of the proposed development with the Preston Railway Station, and surrounding public transport facilities.
- Location of loading and unloading facilities and details of management arrangements, ensuring conflict between loading bays, car park areas and non-motorised transport is minimised.
- An assessment of car parking demand taken at the completion of each immediately prior stage of development or the application. The assessment is to enable car parking provision to be monitored as floor areas increase and patronage, travel patterns and the mix of uses change, with a view to minimising parking oversupply at any one stage of development.
- An Outline Travel Plan in accordance with Responsible Authority’s Guidelines for the Application and Implementation of Travel Plans, 2005.

**Environmental Plan**

An application for the construction of buildings and works must be accompanied by an Environmental Plan, to the satisfaction of the Responsible Authority, including, as appropriate:

- A stormwater management plan/drainage plan.
- The advice of a suitably qualified environmental auditor detailing any soil and/or water contamination issues and how these can be addressed.
- A wind assessment for buildings over 5 storeys.
- Landscape architecture and urban design concept plans for all proposed publicly accessible spaces and pedestrian walkways.
- A street tree concept plan.
- Design details and methods for contributing to the environmental sustainability of the project, including the application of energy efficiency principles, water conservation principles and water sensitive urban design.
- The location of garbage and recycling bin enclosures, including proposed screening measures, and details of maintenance and collection arrangements.

**Exemption from notice and review**

An application to construct a building or to construct or carry out work generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan (2007) 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 buildings and works that exceeds the preferred building heights of the Preston Market Incorporated Plan.

Where land that is the subject of an application for buildings and works adjoins a lot within the Preston Market Site that is not in the same ownership, notice of the application must be given under Section 52(1)(c) of the Act to the owner of that adjoining land unless the responsible authority is satisfied that the grant of a permit would be unlikely to cause a significant detriment to users of that land due to impacts of scale or changes to car parking or access. The decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act do not apply in relation to submissions or objections received in relation to such notice.

**Other Provisions of the Scheme**

The provisions of Clause 52.07 Loading Bays do not apply to development in generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan (2007).

**Construction Management Plan**

Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.

**Exemption from notice and review**

An application under any other provision of this scheme is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) if the application is generally in accordance with the objectives, design principles and plans of the Preston Market Incorporated Plan (2007).

**Advertising signs**

The advertising sign requirements are at Clause 52.05. This zone is in Category 1.

**Decision guidelines**

Before deciding on an application for planning permit, in addition to the decision guidelines of Clause 65, the Responsible Authority must consider, as appropriate:

The objectives of the Schedule.

- The impact on existing traffic movements.
- Access and accommodation for vehicles providing deliveries, waste removal, emergency services and public transport.
- The provision of car parking, including drop-off zones and taxi parking.
- The availability of and connection to services.
- The design of the proposed buildings, their relationship to the streetscape and any surrounding development and uses.
- The streetscape, including the design of verandahs, access from the street frontage, the provision of active edges to pedestrian areas, the treatment of the fronts and backs of buildings, their appearance and illumination.
- Pedestrian amenity within and around the active edges of the site.
- The amenity of residential properties within, abutting or adjacent to the land.
- The interface with adjoining zones, especially the relationship with residential areas.
- The comments of the Director of Public Transport for applications on or close to Station Avenue.
- Any comments from Melbourne Water.
- Any comments from Vic Roads.
- For a subdivision application, the effect on the potential of the area to accommodate the uses encouraged in the Zone, and on the development potential of the Preston Market site.

Reference Documents

- Preston Central Structure Plan 2006
- Guidelines for the Application and Implementation of Travel Plans, City of Darebin, 2005
Map 2 – Indicative area of 9 metre maximum mandatory height limit
SCHEDULE 2 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ2.

PRESTON CENTRAL

The Preston Central Incorporated Plan March 2007 (as amended 2014) is the Incorporated Plan under this Schedule.

Land

This schedule applies to land within the Preston Central Structure Plan 2006 (as amended) area, shown on Map 1 – Preston Central, and excludes the Preston Market site.

Objectives

- To implement the Preston Central Incorporated Plan March 2007 (as amended 2014).
- To encourage intensive development and use of the land for retail, residential, office, entertainment, community and civic activity.
- To encourage high quality urban design that is responsive to the site’s environs, provides active frontages, and facilitates built-form scale and design outcomes appropriate to a Principal Activity Centre.
- To provide opportunities for sustainable travel and increased use of public transport.
- To facilitate local accessibility and permeability throughout the centre.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Department store</td>
<td>Must be located in Precincts B, C, F or G.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Except for entry foyers, must not be located at ground floor.</td>
</tr>
<tr>
<td>Electoral office</td>
<td>Must be located in Precincts A, B, C, D, F, G or I.</td>
</tr>
<tr>
<td>Food and drink premises (other than Tavern)</td>
<td>A Hotel must form part of an integrated development.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td></td>
</tr>
<tr>
<td>Landscape Gardening Supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Office (other than Electoral office)</td>
<td>Must be located in Precincts A, D, F, G, H, I or J.</td>
</tr>
<tr>
<td>Place of Assembly (other than Drive in theatre)</td>
<td>Except for entry foyers, must not be located at ground level, other than in precinct B and D.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop, Department store and Supermarket)</td>
<td></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 Camping and caravan park, Corrective Institution and Host farm)</td>
<td>Must be located in Precinct H and must not be a use listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must be located in Precinct G, H or I.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle, boat or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Retail Premises (other than a Betting agency, Food and drink premises, Postal agency, Shop, Market, Primary produce sales)</td>
<td></td>
</tr>
<tr>
<td>Service industry (other than Motor repairs)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must be located in Precinct G, H or I.</td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex bookshop</td>
</tr>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective Institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Drive-in theatre</td>
</tr>
<tr>
<td>Host farm</td>
</tr>
</tbody>
</table>
2.0

Use of land

Use of land should be generally in accordance with the Preston Central Incorporated Plan March 2007 (amended 2014).

A permit is required for a ground floor use that is not generally in accordance with the Preston Central Incorporated Plan March 2007 (amended 2014) (this does not include entrances to upper level uses).

Amenity of the neighbourhood

A use must not detrimentally affect the amenity of the surrounding area, 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.

Management Plans

Land must not be used for the purpose of a hotel or tavern until a Management Plan has been approved by the Responsible Authority. The Management Plan must include, but is not limited to, measures to manage patron behaviour, security and measures to ensure that the operation of the use does not detrimentally affect the amenity of the locality. The use must operate in accordance with the approved Management Plan to the satisfaction of the responsible authority.

Application requirements

An application to use land must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill and glare.
- The means of maintaining land not required for immediate use.

3.0

Subdivision

A permit is required to subdivide land.

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
4.0

Buildings and works

A permit is required to construct a building or to construct or carry out works.

This does not apply to:

- A building or works which is a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

- The carrying out of works for the purpose of preliminary soil investigations and testing of soil.

- Maintenance or minor buildings and works to the existing buildings, including:
  - 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.

A permit may be granted to construct a building or to construct or carry out works which exceed the building heights identified in the incorporated plan.

5.0

Application Requirements

An application to construct a building or to construct or carry out works must be generally in accordance with the Preston Central Incorporated Plan March 2007 (amended 2014), except as provided for above in relation to building heights.

An application must include or provide for the following, as appropriate:

- A Site Analysis and Design Response, including the boundaries and dimensions of the site, interface with adjoining land, buildings and transport network, generally in accordance with the provisions of Clause 52.35.

- The location and height of all buildings and works, including the number of storeys, relevant ground levels and building heights to Australian Height Datum (AHD).

- Detailed elevations and sections drawn to scale including heights to AHD and in metres as measured from existing ground level.

- Floor plans drawn to scale detailing uses, existing conditions, floor areas and finished floor levels to AHD.

- Setbacks at ground and upper levels.

- If a building under the preferred minimum height (i.e. less than 3 storeys) is proposed, structural details on how a taller building can be accommodated on the land at a later date.

- Treatments to provide active frontages to streets or pedestrian areas.

- Materials, colours and finishes for all buildings and works.

- The location and layout of publicly accessible spaces, pedestrian accessways and linkages with surrounding land and facilities, including the Preston Railway Station.

- Details of opening hours and access arrangements, for vehicular and pedestrian accessways including details of disabled access, and any measures to restrict access to publicly accessible areas.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.
Car parking and vehicle access arrangements in accordance with the provisions of the Integrated Transport Plan required by this clause.

Landscaping and environmental provisions in accordance with the provisions of the Environmental Plan required by this clause.

Indicative locations for public art.

A report that addresses any required upgrading and/or construction of infrastructure.

Details of any staging of the development, including interim arrangements between stages for land use, pedestrian management, traffic management, car parking allocation and the provision to be made for future upper level development.

Overshadowing diagrams for 22 September.

In Precinct H, the relationship of proposed dwellings to existing non-residential uses in order to minimise potential conflict (e.g. noise, odours, hours of operation).

6.0

Integrated Transport Plan

An application for development greater than 1,000 square metres of gross floor area must be accompanied by an Integrated Transport Plan to the satisfaction of the Responsible Authority. If in the opinion of the Responsible Authority, the Integrated Transport Plan or an element of the Integrated Transport Plan is not relevant to the assessment of an application, the Responsible Authority may waive the requirement or element.

Where an Integrated Transport Plan applies to existing public roads, the plan must be to the satisfaction of VicRoads and the Department of Transport.

An Integrated Transport Plan must include or provide for the following, as appropriate:

- A description of the current movement networks, assessing existing infrastructure conditions for all modes.
- Physical works required to manage the transport effects of the development and where possible reduce barriers to access by pedestrians, cyclists and public transport users.
- Location of, and access to, car and bicycle parking facilities, including the proposed numbers of parking spaces and proposed car parking management arrangements.
- Hierarchy of primary and secondary vehicle movements from adjoining external roads.
- Circulation networks within and around the site for each transport mode.
- The expected number of trips generated by staff and visitors, delivery and service vehicles to the site.
- Integration of the development with the Preston Railway Station and surrounding public transport facilities.
- Location of loading and unloading facilities and details of management arrangements, ensuring conflict between loading bays, car park areas and non-motorised transport is minimised.
- An assessment of the car parking demand.
- Mode share goals and actions to encourage use of public transport and non-motorised travel for trips to local and regional destinations.
- An Outline Travel Plan in accordance with Responsible Authority’s Guidelines for the Application and Implementation of Travel Plans, 2005.

7.0

Environmental Plan

An application for the construction of buildings and works must be accompanied by an Environmental Plan, to the satisfaction of the Responsible Authority, including, as appropriate:
- A stormwater management plan/drainage plan.
- The advice of a suitably qualified environmental auditor detailing any soil and/or water contamination issues and how these can be addressed.
- A wind assessment for buildings over 5 storeys.
- Landscape architecture and urban design concept plans for all proposed publicly accessible spaces and pedestrian walkways.
- A street tree concept plan.
- Design details and methods for contributing to the environmental sustainability of the project, including the application of energy efficiency principles, water conservation principles and water sensitive urban design.
- The location of garbage and recycling bin enclosures, including proposed screening measures, and details of maintenance and collection arrangements.

Exemption from notice and review
An application to construct a building or to construct or carry out works generally in accordance with the Preston Central Incorporated Plan March 2007 (amended 2014) 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 buildings and works that exceeds the height requirements of the Preston Central Incorporated March Plan 2007 (amended 2014).

Where land that is the subject of an application for buildings or works is within 10 metres of a residential zone, notice must be given under Section 52(1)(c) of the Act to the owners and occupiers of that adjoining land unless the responsible authority is satisfied that the grant of a permit would be unlikely to cause a significant loss of amenity to such persons. The decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act do not apply in relation to submissions or objections received in relation to such notice.

An application under any other provision of this scheme is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) if the application is generally in accordance with the Preston Central Incorporated Plan March 2007 (amended 2014).

Construction Management Plan
Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.

Advertising signs
The advertising sign requirements are at Clause 52.05. Properties without a frontage to a Road Zone 1 or 2 or Cramer Street are in Category 3, all other properties are in Category 1.

Decision guidelines
Before deciding on an application for a permit, in addition to the decision guidelines of Clause 65, the Responsible Authority must consider, as appropriate:

- Preston Central Structure Plan 2006 (as amended).
- The objectives of the Schedule.
- The Preston Central Civic Precinct Master Plan.
- The impact on existing traffic movements.
- Access and accommodation for vehicles providing deliveries, waste removal and emergency services and public transport.
- The provision of car parking, including drop-off zones and taxi parking.
- The availability of and connections to services.
- The design of the proposed buildings, their relationship to the streetscape and any surrounding development and uses.
- The streetscape, including the design of verandahs, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings, their appearance and illumination.
- Pedestrian amenity within and around the active frontages of the site.
- The amenity of residential properties within, abutting or adjacent to the land.
- The interface with adjoining zones, especially the relationship with residential areas.
- The comments of the Director of Public Transport for applications on or close to Station Avenue.
- The comments of the Department of Transport for applications adjoining the railway corridor and the proposed Station Avenue.
- For a subdivision application, the effect on the land’s redevelopment potential and its ability to accommodate development and use encouraged in the Zone.

Reference Document

Preston Central Structure Plan 2006 (as amended), Darebin City Council & David Lock Associates.
Guidelines for the Application and Implementation of Travel Plans, City of Darebin, 2005
Map 1 – Preston Central
OVERLAYS

This section sets out the overlays which apply in this scheme.
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: The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change.</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>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.</td>
<td>Clause 59.02</td>
</tr>
</tbody>
</table>
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.

Construct a fence.

Remove, destroy or lop one tree.

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>

| Extractive industry | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |

<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>
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<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>
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<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- Section 65 of the *Forests Act 1958*; or
- Section 41 of the *Country Fire Authority Act 1958*.

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.  

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>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>.</th>
</tr>
</thead>
<tbody>
<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 <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</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 <em>Catchment and Land Protection Act 1994</em>.</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 <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and mining            | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:

  - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
  - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.  

*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*

<table>
<thead>
<tr>
<th>Noxious weeds</th>
<th>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 (Cuscuta australis).</th>
</tr>
</thead>
</table>
| Pest animal burrows                       | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  

In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railways</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 (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>

| Regrowth                                  | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: |

|                                |-------------------------------------------------------------------------------------------------------------------------------------|
The requirement to obtain a permit does not apply to:

- bracken (Pteridium esculentum); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.

This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

**Road safety**

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

**Stone exploration**

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of vegetation which does not include a tree.
- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to costeening and bulk sampling activities.

**Surveying**

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.

**Traditional owners**

Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

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### 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.

MERRI CREEK AND ENVIRONS

Statement of environmental significance

The Merri Creek is an environmental, heritage and recreation corridor that draws its significance from its role as a continuous corridor as it does from the qualities of individual reaches. All areas of the Creek are important because they contribute to the linking of areas of environmental, heritage and recreational value along the Creek.

The Merri Creek and its immediate surrounds is host to some of the most threatened ecosystems in Australia. The Creek has a unique role to play in the preservation of threatened flora and fauna and the maintenance of vegetation communities that in other places have almost been totally destroyed.

The creek is the focus of a large number of pre and post contact archaeological sites which as a group is highly significant. Many unknown sites are likely to exist and the areas likely to have the greatest density of these are sensitive to development.

Revegetation works and parkland development including path construction have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan region.

Environmental objective to be achieved

Natural Systems

- To restore and revitalise the creeks and adjoining open space to a more natural and ecologically diverse environment.
- To ensure the health and vitality of the natural systems of the creek and its associated open space.
- To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plains vegetation associated with the creek.
- To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.
- To improve the water quality of the creek.
- To provide for retention, restoration and revegetation of local native species.

Waterway Function

- To sustain flood, regional drainage and waterway function to enable appropriate beneficial land use and water-based activities to be undertaken.
- To provide flood management and water quality protection through works which seek to mimic natural systems and produce more natural looking stream form.

Recreation Use

- To create a peaceful, passive open space quality in the creek parkland and valley.
- To provide a linear open space link, including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor.
- To provide for links, views and access from surrounding areas to the creek and open space.
- To provide for a range of recreational uses in the corridor that are consistent with the environmental and open space objectives for each area or activity node.
Landscape Character

- To protect and enhance the natural and visual character of the waterway corridor.
- To ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings, the placement of fill, or lack of screening vegetation.
- To restore those sections of the waterway corridor which have been modified to create artificial bed, banks and landforms to a more natural, visually attractive and ecologically diverse landscape.

Heritage

- To protect areas of sensitivity for Aboriginal heritage.
- To protect natural landforms and geological features.

3.0 Permit requirement

The requirements for a permit to construct a building or to construct or carry out works does not apply to:

- Buildings (including foundation works of less than 1 metre below ground level) in a residential zone if they are 6 metres or less above ground level.
- Works undertaken by a public authority, or waterway management agency to:
  - Sustain the form and stability of stream bed and banks, or regulate or control the flow of water in a watercourse;
  - Mitigate flooding, or construct stream habitat works;
  - Revegetation works, including preparatory works associated with the revegetation;
  - Construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water;

provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant native vegetation are not disturbed.

The requirement for a permit to remove, destroy or lop any vegetation does not apply to:

- A tree on residential zoned land with a single trunk circumference of less than 0.35 metre and 1 metre above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- A non-indigenous tree that has the capacity to adversely affect stream flow.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or maintain a plant’s horticultural health.

4.0 Decision guidelines

Before deciding on an application the responsible authority should consider:

- The Merri Creek and Environs Strategy as adopted in principle by the responsible authority in May 1998.
- Development Guidelines for the Merri Creek (Merri Creek Management Committee).
- The views of the Merri Creek Management Committee, Melbourne Water and Aboriginal Affairs Victoria Heritage Services Branch, as deemed appropriate by the Responsible Authority.
- The relevant provisions of any adopted municipal Open Space Strategy and in particular, the relevant open space category and preferred recreational uses and development guidelines.
The effect of the proposed removal of vegetation on the habitat value, wildlife corridor, and long term viability of remnant and revegetated areas along the creek corridor.

The significance of the native vegetation area, including significance of plant communities or significance of plant and animal species supported.

The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of the native vegetation.

The effect of the height, bulk, and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

The extent that buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.

The need for landscaping or vegetation screening.

The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.

The need to protect trees with Aboriginal trunk or branch scars.

The need to retain vegetation and natural features which contributes to the health and water quality of the creek and the visual character of the creek corridor.

The extent that buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.

The need for a retention pond that acts as a filter and collector of sediment and litter.
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

DAREBIN CREEK AND ENVIRONS

1.0

Statement of Environmental Significance

The Darebin Creek and its surrounds contain significant parcels of the threatened grassland/grassy woodland ecosystem remaining in the Melbourne region. The remnant and re-vegetated areas along the Darebin Creek and abutting areas provide a significant resource for native flora and fauna.

The Darebin Creek contains pre and post European contact archaeological sites. At this stage only a portion of the sites has been registered whilst unidentified sites continue to be at risk from development.

The Darebin Creek offers a recreational resource of great value, both in the local and regional context of open space. The linear park provides an open space environment which ensures the preservation, restoration, environmental protection, and ecologically sensitive development and maintenance of the Darebin Creek Park.

2.0

Environmental objective to be achieved

- To facilitate pedestrian and cyclist movement along and across the creek to link with the Main Yarra Trail through the provision of a network of pathways and creek crossings.
- To protect and enhance the natural and cultural resources and the wildlife habitat of the creek valley.
- To enhance the amenity of the surrounding residential, commercial and industrial land uses.
- To provide diverse recreational opportunities and experiences along the Lower Darebin Creek in a predominantly natural setting.
- To enhance the quality of the creek valley by discouraging activities which may cause unacceptable levels of air, noise, soil and water pollution.
- To enhance water quality.
- To ensure sound drainage and flood plain management.
- To protect areas along Darebin Creek from development that may adversely affect the Creek as a visual, conservation, ecological and recreation resource.
- To encourage development consistent with the Lower Darebin Creek Concept Plan and in keeping with the character and appearance of the area and prevent the inappropriate siting of buildings or works.
- To encourage the retention and enhancement of a continuous corridor of indigenous vegetation along the Darebin Creek Valley in order to provide corridors for the movement of wildlife.
- To protect and enhance a sense of remoteness in the Darebin Creek Valley.
- To conserve water quality and watercourse capacity to enable appropriate beneficial land use and water-based activities to be undertaken.

3.0

Permit requirements

The requirements for a permit to construct a building or to construct or carry out works does not apply to:

- Buildings (including foundation works of less than 1 metre below ground level) in a residential zone if they are 6 metres or less above ground level.
- Works undertaken by a public authority, or waterway management agency to:
  - Sustain the form and stability of stream bed and banks, or regulate or control the flow of water in a watercourse;
  - Mitigate flooding, or construct stream habitat works;
  - Revegetation works, including preparatory works associated with the revegetation;
  - Construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water;
  - provided that sites of archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant native vegetation are not disturbed.

The requirement for a permit to remove, destroy or lop any vegetation does not apply to:
- A tree on residential zoned land with a single trunk circumference of less than 0.35 metre and 1 metre above the ground and which is less than 6 metres high or has a branch spread of less than 4 metres.
- A non-indigenous tree that has the capacity to adversely affect stream flow.
- The control or removal of non-indigenous plants in preparation for revegetation works.
- Pruning of plants to maintain access or maintain a plant’s horticultural health.

### Decision guidelines

Before deciding on an application the responsible authority should consider:
- The Darebin Creek Concept Plan.
- Any adopted guidelines or local policies for the Darebin Creek.
- The views of the Darebin Creek Coordinating Committee, Melbourne Water and Aboriginal Affairs Victoria Heritage Services Branch, as deemed appropriate by the Responsible Authority.
- The relevant provisions of any adopted municipal Open Space Strategy and in particular, the relevant open space category and preferred recreational uses and development guidelines.
- The effect of the proposed removal of vegetation on the habitat value, wildlife corridor, and long-term viability of remnant and revegetated areas along the creek corridor.
- The significance of the native vegetation area, including significance of plant communities or significance plant and animal species supported.
- The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of the native vegetation.
- The effect of the height, bulk, and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.
- The extent that buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.
- The need for landscaping or vegetation screening.
- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.
- The need to protect trees with Aboriginal trunk or branch scars.
- The need to retain vegetation and natural features which contributes to the health and water quality of the creek and the visual character of the creek corridor.
- The extent that buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.
- The need for a retention pond that acts as a filter and collector of sediment and litter.
VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas of significant vegetation.
To ensure that development minimises loss of vegetation.
To preserve existing trees and other vegetation.
To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
To maintain and enhance habitat and habitat corridors for indigenous fauna.
To encourage the regeneration of native vegetation.

Vegetation significance and objectives

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

Permit requirement

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
</tbody>
</table>

Table of exemptions

The requirement to obtain a permit does not apply to:

Emergency works: Vegetation that is to be removed, destroyed or lopped:

- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

Extractive industry: Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.
The requirement to obtain a permit does not apply to:

<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>
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<td></td>
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<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
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<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
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<td>- Section 41 of the Country Fire Authority Act 1958.</td>
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<tr>
<td></td>
<td>- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
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<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 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>
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<td></td>
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<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 an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
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</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>
<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>Noxious weeds</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 (Cuscuta australis).</td>
</tr>
<tr>
<td>Pest animal burrows</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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped.

### Planted vegetation
Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

### Railways
Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

### Regrowth
Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.

This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

### Road safety
Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

### Stone exploration
Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

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 costeanning and bulk sampling activities.

### Surveying
Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.

### Traditional owners
Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:
- a natural resources agreement under Part 6 of the Traditional Owners Settlement Act 2010; or
- an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional owners Settlement Amendment Act in 2016 (1 May 2017).

---

**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 significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 2 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2.

FORMER KINGSBURY CENTRE – SIGNIFICANT VEGETATION

1.0

Statement of nature and significance of vegetation to be protected

The site contains significant exotic and indigenous vegetation, some of which formed part of a structured landscape developed when the hospital was established. The site has a substantial tree population of formal and informal plantings of native and exotic species around existing buildings and associated infrastructure, with remnant River Red Gum Woodland to the east.

2.0

Vegetation protection objective to be achieved

- To provide for the long term preservation of significant vegetation on the former Kingsbury Centre site.
- To minimise the adverse effects of development and works on the condition and health of significant vegetation.
- To conserve and restore the landscape quality of protected exotic and indigenous vegetation.
- To preserve the environmental and cultural significance of the protected vegetation.

3.0

Permit requirement

A permit is required to remove, destroy, lop any tree or shrub identified on the plan “Vegetation Survey – Former Kingsbury Centre Site Bundoora Map 2”.

4.0

Decision guidelines

- The responsible authority will consider the recommendations of the ‘Former Kingsbury Centre – Vegetation Survey, prepared by Tree Logic P/L August 1999’, when considering an application for the removal, destruction or lopping of vegetation.
- The responsible authority, when considering an application for the removal, destruction or lopping of vegetation, will consider the impact of the proposal on the environmental and cultural landscape of the site.
SCHEDULE 3 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO3.

MOUNT COOPER, BUNDOORA - SIGNIFICANT VEGETATION

1.0

Statement of nature and significance of vegetation to be protected

The Mount Cooper Estate has significant exotic and indigenous vegetation. The estate has a substantial tree population of formal and informal plantings of native and exotic species on private land, public land and road reserves. These trees include remnant river red gums that form an essential part of the area’s natural setting.

Existing native and exotic vegetation in the Mount Cooper Estate forms a significant and essential part of the character of the estate and surrounding area. Mature trees make major contributions towards the natural and developed landscape, habitat value and open space system and linkages of the estate and general area.

2.0

Vegetation protection objectives to be achieved

- To provide for the long term preservation of significant vegetation on the Mount Cooper Estate.
- To minimise effects on and protect significant vegetation in conjunction with the residential development of the estate.
- To conserve and restore the landscape quality of mature and protected exotic and indigenous vegetation.
- To preserve the environmental and cultural significance of mature and protected vegetation.
- To protect significant native and exotic trees to maintain the natural and developed landscape and character of the estates.
- To protect exotic and native trees providing habitat value and habitat and open space linkages between open space and public land areas.

3.0

Permit requirement

A permit is required to remove, destroy or lop any tree identified for protection in Appendix 3 of the Assessment of Trees for VPO Update in Mount Cooper Estate, Bundoora 3 December 2009.

4.0

Decision guidelines

Before deciding on an application to remove, destroy or lop any tree, the responsible authority must consider:

- Potential effects on the significance, health and appearance of a tree.
- Maintenance of the natural, developed and cultural landscape and character.
- Maintenance of contribution towards habitat value and open space linkages within the estate and with adjoining and nearby land.
- Need for and compliance with a land management plan and / or arborist’s report assessing and justifying the proposal for tree removal or works, including a full assessment of the vegetation type and significance, an outline of the need to remove vegetation and the practicality of alternative options that do not require the removal of vegetation.
- The impact of a tree(s) on the structural integrity of existing buildings and foundations and other structures and works, including swimming pools, tennis courts and paved areas.
• Whether a sufficient buildings and works envelope is available to reasonably develop the land for residential purposes without affecting identified significant trees.

• For proposals to remove significant vegetation, the need to replace and the ability to establish and maintain vegetation elsewhere on the land.
SCHEDULE 4 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO4.

SPRINGTHORPE – SIGNIFICANT VEGETATION

1.0

Statement of nature and significance of vegetation to be protected

The Springthorpe Estate has significant exotic and indigenous vegetation, some of which formed part of a structured landscape developed when the previous hospital was established on the land. The estate has a substantial tree population of formal and informal plantings of native and exotic species on private land, public land and road reserves. These trees include remnant river red gums that form an essential part of the area’s natural setting.

Existing native and exotic vegetation in the Springthorpe Estate forms a significant and essential part of the character of the estate and surrounding area. Mature trees make major contributions towards the natural and developed landscape, habitat value and open space system and linkages of the estate and general area.

2.0

Vegetation protection objective to be achieved

- To provide for the long-term preservation of significant vegetation on the Springthorpe Estate.
- To minimise effects on and protect significant vegetation in conjunction with the residential development of the estate.
- To conserve and restore the landscape quality of mature and protected exotic and indigenous vegetation.
- To preserve the environmental and cultural significance of mature and protected vegetation.
- To protect significant native and exotic trees to maintain the natural and developed landscape and character of the estate.
- To protect exotic and native trees providing habitat value and habitat and open space linkages between open space and public land areas.

3.0

Permit requirement

A permit is required to remove, destroy or lop any tree identified for protection in the Assessment of Trees for VPO Update in Springthorpe Estate, Macleod 16 May 2010.

4.0

Decision guidelines

Before deciding on an application to remove, destroy or lop any tree, the responsible authority must consider:

- Potential effect on the significance, health and appearance of a tree.
- Maintenance of the natural, developed and cultural landscape and character of the site and area.
- Maintenance of contribution towards habitat value and open space linkages within the estate and with adjoining and nearby land.
- Need for and compliance with a land management plan and / or arborist’s report assessing and justifying the proposal for tree removal or works, including a full assessment of the vegetation type and significance, an outline of the need to remove vegetation and the practicality of alternative options that do not require the removal of vegetation.
- The impact of a tree(s) on the structural integrity of existing buildings and foundations and other structures and works, including swimming pools, tennis courts and paved areas.
- Whether a sufficient buildings and works envelope is available to reasonably develop the land for residential purposes without affecting identified significant trees.

- For proposals to remove significant vegetation, the need to replace and the ability to establish and maintain vegetation elsewhere on the land.
LANCASTER GATE – SIGNIFICANT VEGETATION

1.0 Statement of nature and significance of vegetation to be protected
The site contains significant exotic and indigenous vegetation, some of which formed part of a structured landscape developed when the hospital was established. The site has a substantial tree population of formal and informal plantings of native and exotic species around existing buildings and associated infrastructure, with isolated River Red Gums scattered to the south.

2.0 Vegetation protection objective to be achieved
- To provide for the long-term preservation of significant vegetation on the Lancaster Gate site.
- To minimise the adverse effects of development and works on the condition and health of significant vegetation.
- To conserve and restore the landscape quality of protected exotic and indigenous vegetation.
- To preserve the environmental and cultural significance of the protected vegetation.

3.0 Permit requirement
A permit is required to remove, relocate, destroy or lop any tree or shrub identified on the “Tree Protection Plan – Stages 1 and 2 – 1 September 2003” and “Tree Protection Layout Plan – Stages 3 and 4 – 1 September 2003”.

Written consent from the responsible authority is required to remove or relocate any Tree Protection Zone fencing or any other protective barrier established to define the Tree Protection Zone.

Written consent from the responsible authority is required for any buildings or works in a Tree Protection Zone as specified on the Tree Protection Plans.

4.0 Decision guidelines
- The responsible authority will consider the recommendations of the “Larundel Landscape Masterplan - February 2001” prepared by Collie Landscape and Design Pty Ltd, “Stage 1 and 2 Tree Re-Assessment Lancaster Gate, Bundoora” prepared by Collie Landscape and Design Pty Ltd and PSY Pty Ltd Issue 2 – 10 April 2003” and “Stage 3 and 4 Tree Re-Assessment Lancaster Gate, Bundoora” prepared by Collie Landscape and Design Pty Ltd and PSY Pty Ltd Issue 2 – 29 April 2003, when considering an application for the removal, destruction or lopping of vegetation.

- The responsible authority, when considering an application for the removal, destruction or lopping of vegetation, will consider the impact of the proposal on the environmental and cultural landscape of the site.

- The responsible authority, when considering a request for the relocation of any tree or shrub, will consider the impact of the proposal on the tree or shrub, the proposed method of relocation and the suitability of the proposed transplant site.

- The responsible authority, when considering a request for buildings or works in a Tree Protection Zone, or any variation to a Tree Protection Zone, must consider the method of construction of the proposed buildings or works and the impact of the proposal on the tree or shrub.

- The responsible authority may require the applicant to provide an arborist report detailing the proposal, the methods of construction of buildings or works and an assessment of the likely impact on the tree or shrub.
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 system 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 system 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, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
**43.01-5**

**Statements of significance**

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

**43.01-6**

**Heritage design guidelines**

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

**43.01-7**

**Application requirements**

An application must be accompanied by any information specified in the schedule to this overlay.

**43.01-8**

**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 system 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 CLAUSE 43.01 HERITAGE OVERLAY**

**Application requirements**

None specified.

**Heritage places**

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>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses may be permitted?</th>
<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO19</td>
<td>Terrace Houses, 186-192 Clarke Street, Northcote</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1774</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO312</td>
<td>Former Northcote Theatre 212-220 High Street, Northcote</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2287</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO45</td>
<td>Former Northcote Cable Tramways Site 626-628 High Street, Thornbury</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2129</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO144</td>
<td>Preston Tramway Workshops 16-18 Miller Street, Preston</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2031</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO59</td>
<td>Former Mont Park Hospital and Avenue of Honour Ernest Jones Drive and Springthorpe Boulevard and Cherry Street Macleod</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1872</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO74</td>
<td>Bundoora Park Homestead 7-27 Snake Gully Drive, Bundoora</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1091</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses may be permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
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</tr>
<tr>
<td>HO175</td>
<td>Former Little Sisters of the Poor Home for the Aged 104 – 112 St Georges Road, Northcote</td>
<td>-</td>
<td>-</td>
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<td>Broomfield Avenue Precinct 2-52 and 3-45 and 495 (Park); 509 and 515 Broomfield Avenue; Heidelberg Road, Alphington</td>
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<td>Area bounded by St George's Road, Hawthorn Road, Hartington Street, Northcote</td>
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<td>H097</td>
<td>Area bounded by Herbert Street, James Street, Butler Street, Bastsings Street, Eastment Street, Hawthorn Road, Separation Street &amp; Prospect Grove, Northcote</td>
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<td>Area bounded by Langwells Parade, Right of Way, Hunter Street &amp; High Street, Northcote</td>
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<td>H099</td>
<td>Daily Street, Northcote</td>
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<td>Area bounded by Clarke Street, Charles Street, Merri Parade, High Street, Northcote</td>
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<td>Area bounded by High Street, Union Street, Westgarth Street, Northcote</td>
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<td>Area bounded by High Street, Westgarth Street, Urquhart Street, Northcote</td>
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<td>Robbs Parade, Northcote</td>
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<td>HO160</td>
<td>Northcote - Township Area bounded by Westgarth Street, East Street, Cunningham Street, Walker Street, Ross Street, Urquhart Street, High Street and Merri Creek</td>
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<td>HO161</td>
<td>Northcote - Westgarth Area bounded by Clarke Street, Roberts Street, Simpson Street, South Crescent, Westgarth Street, High Street, Jackson Street, Tobin Avenue, Pearl Street, Timmins Street and Bridge Street</td>
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<td>HO162</td>
<td>Northcote - Rucker’s Hill Area bounded by Clarke Street, Waterloo Road, Ilma Grove, High Street, Separation Street, James Street, Herbert Street, Turnbull grove, Eastment Street and Helen Street</td>
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<td>HO163</td>
<td>Northcote – Merri Area bounded by St. George’s Road, Westbourne Grove, Park Street and Gordon Grove</td>
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<td>Northcote - Clarke Street North and south sides of Clarke Street, west of St. George's Road to Merri Creek</td>
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<td>Northcote – Sumner Estate Area bounded by Auburn Avenue, Sumner Avenue, St. George's Road and Winifred Street</td>
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<td>Northcote - Croxton Area bounded by Arthurton Road, Scott Street, Gladstone Avenue, Railway Parade, and St. George's Road</td>
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<td>HO173</td>
<td>Newmarket Street Area bounded by Clarke Street, Brooke Street and includes all properties in Newmarket Street</td>
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<td>Gladstone Avenue Precinct 1-35 &amp; 2-46 Gladstone Avenue Northcote</td>
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<td>Collins Street, Preston</td>
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<td>HO168</td>
<td>Preston Tramway Area bounded by Oakover Road, Gillingham Street, Davies Street and Devon Street</td>
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### DAREBIN PLANNING SCHEME

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<td>HO169</td>
<td>Preston State School Area bounded by Orient Grove, Oakover Road, Etnam Street and Scotia Street</td>
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<td>Preston, Bruce Street 9-25 Bruce Street, 2-8 Herbert Street, &amp; 17 Mary Street, Preston</td>
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<td>Preston, ‘Heart of Preston’ precinct 8-42 &amp; 9-43 William Street, Preston</td>
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<td>HO186</td>
<td>Preston War Service Homes precinct 17-25 &amp; 18-28 Arthur Street, 27-37 Bruce Street, 1-9 &amp; 10-16 Herbert Street and 76-84A St Georges Road, Preston</td>
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<td>Garnet Street Houses 7-17 &amp; 16 Garnet Street, Preston</td>
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<td>Larne Grove &amp; Roxburgh St Precinct 1-31 &amp; 4-26 Larne Gve, 1-23 &amp; 2-24 Roxburgh St, 23-33 Dundas St &amp; 30-36 Milton Cres, Preston</td>
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<td>Regent G.E. Robinson Park Area bounded by King William Street, Down Street, Garden Street and High Street</td>
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<td>Preston Oakhill Avenue Area bounded by Tyler Street, Oakhill Avenue, Capp Street, Xavier Grove, Mc Ivor Street, Southernhay Street, McCarten Street, King William Street and Joffre Street</td>
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<td>Whittlesea Railway Precinct Arthurton Road, Merri paradeNorthcote, Normanby Avenue Thornbury, Bell Street, Murray Road Preston High Street, Regent Street Reservoir.</td>
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<td>Clifton Bridge Yarana Road (Darebin Parklands), Alphington</td>
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<td>Idiot Block, Farm Workers Block, and Idiot Cottages, Larundel (Kingsbury)</td>
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<td>Preston General Cemetery, 900 Plenty Road Bundoora</td>
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<td>17-19 Arthur Street, Fairfield (House &amp; Shop)</td>
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<td>Former St Anthony’s Presbytery 59 Austin Street, Fairfield</td>
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<td>12 Hanslope Avenue, Fairfield (House)</td>
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## DAREBIN PLANNING SCHEME

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<td>HO125</td>
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<td>Centenary Dairy Complex 181-187 Heidelberg Rd, Fairfield</td>
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<td>Grandview Hotel 429 Heidelberg Rd, Fairfield</td>
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<td>HO189</td>
<td>Fairfield Primary School No. 2711 1-5 &amp; 176-206 Langridge Street &amp; Wingrove Street, Fairfield</td>
<td>Yes</td>
<td>No</td>
<td>Yes - Moreton Bay Fig and Pepper trees</td>
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<td>2 Rowe Street, Fairfield (House &amp; Canary Island Palm-“Phoenix Canariensis”)</td>
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<td>St Paul's Anglican Church and Organ 88E Station Street Fairfield</td>
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<td>North and South Platform Buildings and Signal Box at Fairfield Station, Wingrove Street, Fairfield</td>
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<td>Paying Patients Ward, Former Mont Park Hospital, Former Mont Park Hospital</td>
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<td>Laundry Workers Block, Former Mont Park Hospital</td>
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<td>33 Derby Street, Northcote (House)</td>
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<td>HO180</td>
<td>Former Joshua Pitt tannery 52-60 Gadd Street, Northcote</td>
<td>No</td>
<td>Yes – 1907 Drying house only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO40</td>
<td>Helen Street Primary School, Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO126</td>
<td>12-18 Helen Street Northcote (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO41</td>
<td>Former Wesleyan Manse, Helen Street (lot 1, TP845679E), Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO42</td>
<td>74-76 Herbert Street, Northcote (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO127</td>
<td>Merri Creek Bridge, High Street Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO43</td>
<td>136-144 High Street, Northcote (Houses &amp; Shops)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
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<td>HO129</td>
<td>329 High Street, Northcote (Shop &amp; House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
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<td>HO130</td>
<td>466-468 High Street, Northcote (Shops &amp; Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO44</td>
<td>RSL Hall 496 High Street, Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO131</td>
<td>509-513 High Street, Northcote (Shops &amp; Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO192</td>
<td>Baptist Church 540-542 High Street Northcote</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO132</td>
<td>581-599 High Street, Northcote (Shops &amp; Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO133</td>
<td>607-617 High Street, Northcote (Croxton Park Hotel)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO52</td>
<td>25 Jackson Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO53</td>
<td>Presbyterian Church &amp; Hall 40-42 James Street, Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO177</td>
<td>Former Northcote police station 43 James Street, Northcote.</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
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<td>HO54</td>
<td>36 James Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO55</td>
<td>51 James Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>57 James Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>68 James Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO58</td>
<td>69 James Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
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<td>No</td>
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<td>HO140</td>
<td>34 Jenkins Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO141</td>
<td>36 Jenkins Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO193</td>
<td>Former Ensign Dry Cleaning 24 Leinster Grove Northcote</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
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<td>HO142</td>
<td>1-3 Leonard Street, Northcote (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>3 McLachlan Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>4-4a McLachlan Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>5 McLachlan Street, Northcote (House)</td>
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<td>No</td>
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<td>No</td>
<td>No</td>
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<td>HO72</td>
<td>11 McLachlan Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO145</td>
<td>18 Mitchell Street, Northcote (Primitive Methodist Church, now Salvation Army Hall)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<tr>
<td>HO146</td>
<td>70 Mitchell Street, Northcote Shop (former) and residence</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO147</td>
<td>76-82 Mitchell Street, Northcote (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO191</td>
<td>Reserve - Johnson Park 12 Palmer Street Northcote</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO194</td>
<td>Northcote Cemetery 143 Separation Street Northcote</td>
<td>No</td>
<td>No</td>
<td>Yes - Italian Cypress</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO195</td>
<td>Northcote High School 19-29 St Georges Road Northcote</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO196</td>
<td>Reserve - Merri Park 33 St Georges Road Northcote</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO77</td>
<td>140 St George’s Road, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO155</td>
<td>1 Thomson Street Northcote (Shop &amp; House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO156</td>
<td>9-15 Union Street, Northcote (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO82</td>
<td>26 Urquhart Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO83</td>
<td>44 Urquhart Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO85</td>
<td>1-3 Walker Street, Northcote (Duplex Dwellings)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO86</td>
<td>7 Walker Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO87</td>
<td>Former Police Station 24 Walker Street, Northcote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO88</td>
<td>34 Walker Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO89</td>
<td>45 Walker Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
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<td>HO90</td>
<td>3 Wardrop Grove, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
<td>N/A</td>
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<td>HO197</td>
<td>Reserve - Oldis Gardens and Northcote Cricket Ground Westgarth Street Northcote</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO157</td>
<td>74 Waterloo Road, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>HO091</td>
<td>127 Westgarth Street, Northcote (House)</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
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<td>N/A</td>
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<td>HO158</td>
<td>153 Westgarth Street, Northcote (House, St. Helens)</td>
<td>Yes</td>
<td>No</td>
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<td>N/A</td>
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<td><strong>Preston</strong></td>
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<td>HO198</td>
<td>Howard Park 172 Albert Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO199</td>
<td>Sacred Heart Catholic Church complex (Church, Rectory, Hall, School) 322 Bell Street Preston, 4-6 Clifton Grove &amp; 89 David Street, Preston</td>
<td>Yes</td>
<td>Yes - church only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO200</td>
<td>Preston Masonic Centre 382-4 Bell Street Preston</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO201</td>
<td>House 392 Bell Street Preston</td>
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<td>No</td>
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<td>No</td>
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<td>HO202</td>
<td>Former BP Service Station 548 Bell Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO203</td>
<td>House 634 Bell Street Preston</td>
<td>No</td>
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<td>HO204</td>
<td>House (Balleer) 648 Bell Street Preston</td>
<td>No</td>
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<td>HO205</td>
<td>House 664 Bell Street Preston</td>
<td>No</td>
<td>No</td>
<td>Yes - Canary Island Palm (Phoenix canariensis)</td>
<td>No</td>
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<td>HO206</td>
<td>House (La Rocque) 82 Bruce Street Preston</td>
<td>No</td>
<td>No</td>
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<td>HO207</td>
<td>Former Stables 43 Carlisle Street Preston</td>
<td>No</td>
<td>No</td>
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<td>HO24</td>
<td>Preston Girls' High School Cooma Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
<td>N/A</td>
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<td>HO208</td>
<td>Houses (Sandland family) 36 &amp; 40 Cooper Street Preston</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes - Front Fence</td>
<td>No</td>
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<td>House 93 Cramer Street Preston</td>
<td>No</td>
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<td>HO210</td>
<td>Preston City Oval &amp; Band Hall 11-21 Cramer Street Preston</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO27</td>
<td>Former Salvation Army Hall 61 David Street, Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO30</td>
<td>Former Bacon Curing Factory cnr Dundas St &amp; Plenty Rd, Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO211</td>
<td>House 7 Eastwood Avenue Preston</td>
<td>No</td>
<td>No</td>
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<td>HO31</td>
<td>Newlands State Primary School, 2-26 Murphy Street, Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
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<td>HO32</td>
<td>HCV Bachelor Flats, 15-17 Eric Street, Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO212</td>
<td>West Preston Progress Hall 523 Gilbert Road Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO213</td>
<td>Houses 244-46 Gower Street Preston</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO214</td>
<td>Reg Parker sculpture (Untitled 8/73) 266 Gower Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO215</td>
<td>Truby King Baby Health Centre 270 Gower Street Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<td>HO216</td>
<td>Junction Hotel 2-4 High Street Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO128</td>
<td>93-103 High Street, Preston (Howe Leather Factory)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
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<td>HO217</td>
<td>Shops &amp; residences 107-109 High Street Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO218</td>
<td>Prince Alfred Hotel (former) &amp; Shop 111-113 High Street Preston</td>
<td>No</td>
<td>Yes - staircase only</td>
<td>No</td>
<td>No</td>
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<td>Fidelity Tent No. 75 of the Independent Order of Rechabites (former) 251-3 High Street Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<td>HO220</td>
<td>Shop &amp; residence 283 High Street Preston</td>
<td>No</td>
<td>No</td>
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<td>HO221</td>
<td>Shops &amp; residences 306-08 High Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<td>HO50</td>
<td>Preston Town Hall &amp; Municipal Offices 350 High Street, Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
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<td>HO222</td>
<td>Shops 352-72 High Street Preston</td>
<td>No</td>
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<td>HO223</td>
<td>Commonwealth Bank 374-76 High Street Preston</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>HO224</td>
<td>Metropolitan Fire Brigade - Preston (former) 378 High Street Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO225</td>
<td>All Saints Anglican Church complex 400 High Street Preston &amp; 239 Murray Road Preston</td>
<td>Yes</td>
<td>Yes - church only</td>
<td>Yes - Bhutan Cypresses</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO226</td>
<td>Shop 435 High Street Preston</td>
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<td>HO227</td>
<td>Shops 471-73 High Street Preston</td>
<td>No</td>
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<td>HO228</td>
<td>J. Harvey Grocer (former) 626-628 High Street Preston</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<td>HO229</td>
<td>House (Prestonia) 10 Hotham Street Preston</td>
<td>No</td>
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<td>HO230</td>
<td>House (Crawford) 12 Hotham Street Preston</td>
<td>No</td>
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<td>HO231</td>
<td>Preston South Primary School No. 824 56B Hotham Street Preston</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>No</td>
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<td>HO51</td>
<td>56-82 Hotham Street, Preston (Builders Terrace)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
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<tr>
<td>HO232</td>
<td>House (Rainhamville) 4 Hurlstone Avenue Preston</td>
<td>No</td>
<td>No</td>
<td>Yes - Canary Island Palm</td>
<td>No</td>
<td>No</td>
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<td>HO234</td>
<td>House and Shop 65 Jessie Street Preston</td>
<td>No</td>
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<td>HO235</td>
<td>House 65 May Street Preston</td>
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<td>Miller Street Tramway Bridge Miller Street Preston</td>
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<td>House 4 Mount Street Preston</td>
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<td>HO238</td>
<td>Houses (Yarraberb &amp; Leura) 7 &amp; 9 Mount Street Preston</td>
<td>No</td>
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<td>HO239</td>
<td>Preston West Primary School No. 3885 83 Murray Road Preston</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>House 418 Murray Road, Preston</td>
<td>Yes</td>
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<td>HO240</td>
<td>East Preston Tram Depot 211-243 Plenty Road Preston</td>
<td>No</td>
<td>No</td>
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<td>HO73</td>
<td>Bluestone Cottage &amp; Shop 339 Plenty Road, Preston</td>
<td>Yes</td>
<td>No</td>
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<td>Shops 519-541 Plenty Road Preston</td>
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<td>HO242</td>
<td>House, garage &amp; doctor's surgery (former) 572 Plenty Road Preston</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO243</td>
<td>State Savings Bank of Victoria (former) 600-606 Plenty Road Preston</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO244</td>
<td>House 230 Raglan Street Preston</td>
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<td>HO245</td>
<td>Brickworks’ Houses 227-45 &amp; 259-63 Raglan Street Preston</td>
<td>No</td>
<td>No</td>
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<td>House 16 Regent Street Preston</td>
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<td>House (Cliveden) 18 Regent Street Preston</td>
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<td>No</td>
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<td>HO248</td>
<td>House and Canary Island Palms 30 Regent Street, Preston</td>
<td>No</td>
<td>No</td>
<td>Yes - Canary Island Palms</td>
<td>No</td>
<td>No</td>
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<td>Clydebank Dairy Trees 679 Gilbert Road Reservoir</td>
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## DAREBIN PLANNING SCHEME

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<td>731 High Street, Thornbury (Shop &amp; House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses may be permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
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</tr>
<tr>
<td>HO286</td>
<td>Shops 735-737 High Street Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
</tr>
<tr>
<td>HO138</td>
<td>759-761 High Street, Thornbury (Shops &amp; Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO48</td>
<td>Thornbury Regent Theatre 859 High Street, Thornbury</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO287</td>
<td>Thornbury Primary School No. 3889 16-24 Hutton Street Thornbury</td>
<td>No</td>
<td>No</td>
<td>Yes - Italian Cypresses</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
</tr>
<tr>
<td>HO139</td>
<td>21 Hutton Street, Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO288</td>
<td>MMTB Substation 3-5 Martin Street Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO143</td>
<td>34 Martin Street, Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO148</td>
<td>2-4 Normanby Avenue, Thornbury (Houses)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO289</td>
<td>Electricity Substation Pender Street, Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO290</td>
<td>Reserve - Penders Park 48A Pender Street Thornbury</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO149</td>
<td>66 Raleigh Street, Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO291</td>
<td>Thornbury Uniting Church 7-15 Rossmoyne Street Thornbury.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO151</td>
<td>28 Shaftesbury Parade, Thornbury (Holy Trinity Anglican Church, Vicarage and Parish Hall)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
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<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses may be permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
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</tr>
<tr>
<td>HO152</td>
<td>40 Shaftesbury Parade, Thornbury (Former S.G. Tomkins Pty Ltd Dairy &amp; House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO292</td>
<td>Front fence 47 Shaftesbury Parade Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes - front fence</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
</tr>
<tr>
<td>HO153</td>
<td>52 Shaftesbury Parade, Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO293</td>
<td>House (Hillside) 6 Speight Street Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>City of Darebin Heritage Study Incorporated Plan - Permit Exemptions (2011)</td>
<td>No</td>
</tr>
<tr>
<td>HO294</td>
<td>Penders Grove Primary School No. 3806 370 Victoria Road Thornbury</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO84</td>
<td>Primary School Wales Street, Thornbury</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO159</td>
<td>54 Woolton Avenue Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO93</td>
<td>60 Woolton Avenue Thornbury (House)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

*Denotes interim controls apply*
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

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
</tr>
<tr>
<td>- Has started lawfully.</td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</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.

### 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.

CENTRAL CREEK GRASSLANDS RESIDENTIAL AREA NORTH OF DAVIDSON STREET

1.0 Design objectives

- To ensure that dwellings are designed to reflect the area’s interface with the Central Creek Grasslands Reserve.
- To ensure that dwellings are designed to achieve a high standard of passive solar energy efficiency

2.0 Buildings and works

Permit requirement

A permit is not required to construct a building or construct or carry out works provided that:

- The building and works are in accordance with the Building Envelope Specifications shown on the Building Envelope Plan No. 1 and Building Envelope Plan No. 2 attached to this schedule.

- Any dwelling shall be designed to achieve a four star energy rating, using the Sustainable Energy Authority of Victoria ‘FirstRate’ system or equivalent.

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0 Subdivision

A permit is not required to subdivide land.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

CENTRAL CREEK GRASSLANDS RESIDENTIAL AREA NORTH OF BARTROP STREET

1.0

Design objectives

- To ensure that dwellings are designed to reflect the area’s interface with the Central Creek Grasslands Reserve.
- To enable the reconfiguration of existing lot boundaries to facilitate the development of no more than three dwellings on the land.
- To ensure that aboriginal archaeological issues are considered before development proceeds.

2.0

Buildings and works

Permit requirement

No more than three dwellings may be constructed on land subject to Schedule 2 to the Design and Development Overlay. A permit may not be granted to vary this requirement.

A permit is not required to construct a building or construct or carry out works provided that:

- All buildings and works other than a driveway, boundary fence and landscaping are set back a minimum of 3.0 metres from the alignment of Greig Street.
- Except where dwellings front Bartrop Street, dwellings are orientated and designed so as to provide an outlook over and surveillance of the Central Creek Grasslands Reserve.
- Not more than 50 percent of any northern boundary fence to the Central Creek Grasslands Reserve shall exceed a height of 1.2 metres.
- Before the land is developed with a building or works a programme of monitoring shall be completed involving the removal of grass to a specified depth in the presence of a suitably qualified archaeologist and a member of the Wurundjeri Tribe Land Compensation and Cultural Heritage Council Incorporated, who may make further directions in the event that any archaeological artefacts are discovered, to the satisfaction of the responsible authority.

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

Subdivision

A permit is not required to subdivide land.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

THE JUNCTION – SOUTH PRESTON

1.0

Design objectives

General

- To encourage high quality urban redevelopment that achieves higher residential densities via lot consolidation within The Junction.
- To ensure development promotes active modes of transport and supports ongoing investment in public transport infrastructure.
- To ensure new development supports activating areas within the Junction Area, particularly along High Street, Plenty Road, Raglan Street, Dundas Street, Miller Street and Oakover Road.
- To encourage commercial and residential development to improve the visual amenity of built form in The Junction, particularly along Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street, Oakover Road and the adjoining public realm via high quality urban design and architecture, including the preferred retention of existing shopfront facades and the reflection of the fine-grain rhythm of traditional shopfronts and residential development in new proposals.
- To ensure development achieves a balance between intensification, the provision of high quality internal amenity within new developments and the consideration of off-site amenity impacts.
- To ensure development achieves a high quality pedestrian amenity at the interface with the public realm and promotes a safe, pedestrian friendly environment.
- To ensure the cumulative effect of development in The Junction leads to the creation of high quality design outcomes, including ensuring similar future development potential and high quality design outcomes on adjoining land within the Junction Area.
- To encourage adaptable building layouts that can support a variety of commercial and/or residential uses over time.
- To ensure development on corner lots provides a transition in scale along the side street frontage that responds to the character of adjoining sites to the rear.
- To ensure a diversity of dwelling sizes and configurations with easy accessibility to public transport and commercial services.
- To ensure rear building setbacks are not visually dominant to adjoining residential sites and are sympathetic to the topography of the land, stepping up or down with the fall of the land.

Access and Parking

- To encourage convenient pedestrian connectivity through strategic development sites.
- To ensure development provides convenient bicycle and vehicle parking and access.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers, especially on to Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street and Oakover Road.
- To encourage development that minimises vehicle crossovers to Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street and Oakover Road and provides rear lane or side street vehicular access instead.

2.0

Buildings and works

New development should be constructed in accordance with the objectives and general requirements of this schedule.
A permit is required to construct a front fence that is above 1.2 metres above natural ground level.

A permit is not required:

- To extend a single dwelling, or carry out works in association with an existing single dwelling on a lot in excess of 300 square metres, provided the buildings and works do not exceed or breach the preferred building heights and front, side and rear setback requirements in this schedule.

- To construct or extend an out-building, garage, car port or other structure associated with an existing single dwelling, provided that it is set back from the front facade of the dwelling and does not exceed the preferred building heights or encroaches on the minimum front, side and rear setback requirements in this schedule.

2.1 General building envelope requirements

2.1-1 Minimum frontage width to High Steet, Plenty Road, Raglan Street, Dundas Street and Oakover Road

Land should be consolidated as follows to enable higher densities and create favourable conditions for high quality development outcomes:

- Land to be developed in a Commercial 1 Zone and Mixed Use Zone 1 should have a minimum frontage width of 15 metres.

- Land to be developed in the General Residential Zone or the Residential Growth Zone should have a minimum frontage width of 20 metres.

- Where a development does not achieve the frontage width requirements above, it must demonstrate, to the satisfaction of the Responsible Authority, how the proposal intends to achieve exemplary design outcomes. Such a development may not be eligible to build to the maximum height.

- The minimum frontage width requirements do not apply to maintenance works to existing buildings, façade works, internal restructuring and ground floor extensions to existing structures or to heritage overlay areas.

2.1-2 Building height

Any new building must not exceed the maximum height shown on the maps to this schedule. Heights are calculated at 4 metres for a ground floor level and 3 metres per upper floor level plus 1 metre for potential parapets.

The maximum heights shown on the precinct maps to this schedule cannot be varied with a permit.

- For the purpose of this schedule:
  - 6 storeys means a maximum height of 20 metres;
  - 8 storeys means a maximum height of 26 metres;
  - 12 storeys means a maximum height of 38 metres;
  - 18 storeys means a maximum height of 56 metres

- The maximum height applies across the entire site above existing natural ground level, where within the allowable building envelope. Reference points are to be taken from each site corner to direct heights across sloping site levels.

- Rooftop plant and equipment and equipment associated with communal areas can exceed the specified height but such parts should not be visible from the surrounding public realm and adjoining properties to the rear (including laneway separation).
2.1-3 Building setbacks

At an interface with either High Street, Plenty Road, Raglan Street, Dundas Street or Oakover Road buildings should create the following continuous street wall conditions to retain a pedestrian scale (see Figure 1 below):

- In a Commercial 1 and Mixed Use Zone 1, the front setback should be zero for the first four storeys (inclusive), unless specified otherwise in the schedule to the zone.

- Development fronting the west side of High Street between 53 High Street and Warrs Avenue should be set back from High Street by 4 metres.

- Development fronting Plenty Road on the east side between Dundas Street and Milton Crescent and between Osborne Grove and 218 Plenty Road and development fronting Raglan Street on the north side between Plenty Road and High Street should be set back from the relevant street by 3 metres.

- Development along Bell Street should be set back by 3 metres.

- Where active frontages are required in subclause 6.0, boundary to boundary construction towards the frontage and along side boundaries is encouraged.

- Higher storeys should be setback from the street wall and either side boundary at an adequate distance to create a separation between the lower and upper parts of a building. Such space should be usable for secluded private open space.

Except for the area bound by High Street, Plenty Road and Raglan Street, the following rear setback conditions must be met to minimise unreasonable amenity impacts on residential land to the rear (see Figure 1 below):

- At ground level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 3 metres (including a laneway where applicable).

- At first floor level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 5.5 metres (including a laneway where applicable).

- Any other upper levels must be set back from the boundary of an adjoining residential site so as to be contained within either a 30 degree or 45 degree setback envelope as shown on the maps in subclause 6.0 below (if no rear setback is indicated the 45 degree envelope is to be applied).

- The envelope’s angle is to be measured perpendicular to the adjoining residential site’s boundary from a height of 3 metres above natural ground level, taken from the middle point of the adjoining site’s width.
The following site layout conditions should be met:

- Dwellings should be orientated towards front and rear boundaries where possible, in order to provide a high level of unobstructed daylight access. On deeper sites over 45 metres, buildings should be separated, mid-lot, to create an internal courtyard. Upper levels should be set back to allow good daylight access to dwellings at lower levels, and create a quality primary outlook for the dwellings facing the internal courtyard. Where orientation to side boundaries cannot be avoided, increasing side setbacks should be provided to enable a high level of daylight access.

- Where light courts are proposed, their footprint should be usable for secluded private open spaces, and their bounding walls at upper levels are to be set back gradually to provide a wider light court and good quality solar access to lower levels.

- Overall, development should be designed and sited so that adjacent lots can be developed in a similar manner, creating a cumulative development pattern that has consistent street edge condition, mid-lot separation of built form, and/or light court locations and side setbacks as described in this schedule.

### Building design requirements

- The building mass should be directed towards High Street, Plenty Road, Raglan Street, Dundas Street or Oakover Road and secondary street frontages, where applicable.

- Land at 6-34 High Street and 31 Plenty Road has the status of a strategic landmark site with other development being subordinate in height to contrast with the landmark site development

- Building structures and layouts should be adaptable so as to allow for:
  - a variety of commercial spaces and potential for combining commercial units where in a Commercial Zone 1 or Mixed Use Zone 1;
  - floor to ceiling heights at ground level to be commercial capable where in a commercial zone or Mixed Use Zone 1 and facing a primary street frontage;
  - a variety of residential layouts that allow for the combination and/or separation of units over time;
  - residential layouts that provide access for people with limited mobility.

- The building design should achieve a regular, fine grain streetscape rhythm (especially at ground level), with wider buildings or frontages being broken into smaller vertical sections having regard to the former or prevailing development patterns.
The visual interest of buildings should be derived from the articulation of the built form. Considerations include:

- providing a suitable ratio of solid and void elements;
- providing a well-considered combination of horizontal and vertical building elements;
- creating visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, window sills etc.;
- the application of a limited palette of materials, as suited to their location on the building;
- The creation of visual interest should not be overly reliant on the complex application of a variety of materials or colours.

Development should activate the public realm via passive surveillance and avoid blank walls and high solid side fences, including side street frontages.

Where a blank wall is proposed in a mid-block location as an interim condition subject to future adjoining development, the colour, texture or finish of the wall should be designed to provide visual interest to passing pedestrians.

Building corners on side streets should be splayed at the ground floor level by a minimum of 1 metre by 1 metre to provide for open pedestrian sightlines.

Buildings should be splayed by 7 x 7 metres at ground level to create a sense of openness and provide for canopy landscaping at the following locations:

- Southern corner of Raglan Street and High Street;
- South-western corner of Raglan Street and Plenty Road;
- Southern corner of Oakover Road and High Street;
- Southern corner of Milton Crescent and Plenty Road;
- Northern corner of Dundas Street and Plenty Road; and
- Meeting point of High Street and Plenty Road.

Landscaping should ensure a sense of openness is maintained at pedestrian height to enable passive surveillance and increase safety.

Site services such as air conditioning units, gas metres etc. should not be visible from the public realm or a sensitive interface on and off-site.

**Building Design Requirements Relating to Commercial Components**

- In commercial and mixed use areas, a continuous street edge should be created, including boundary to boundary development.

- In the Commercial 1 Zone and the Mixed Use Zone 1 fixed verandahs, canopies etc. should be provided along Plenty Road, High Street and along side streets to provide weather protection and improve the pedestrian amenity. Such structures should be set back from the kerb by 0.75 metres.

- The built form at ground floor in the Commercial 1 Zone and in a Mixed Use Zone 1 should provide for active frontages towards Plenty Road, High Street and along side streets.

- Residential entries must not dominate the frontages of buildings in a Commercial 1 Zone or in a Mixed Use Zone 1.
Building Design Requirements Relating to Residential Components

- Development should be sited, designed and treated to mitigate impacts from noise sources such as vehicle access ways, roads, commercial uses etc. via well-considered building layout and the use of double glazing or other suitable attenuation measures.

- Privacy screening should be designed so it is integrated into the building. Screening should allow for distant views whilst preventing overlooking and allow for a high level of direct daylight access such as built in planter boxes with higher outer edges or horizontal louvres.

- Development of more than 10 dwellings should provide for easily maintainable and conveniently accessible communal outdoor areas that include weather protection, seating and landscaping.

Strategic Sites

In addition to the above, strategic sites should also achieve the following:

- Commercial spaces on strategic sites should provide a mix of small and middle sized spaces that are suitable for a variety commercial uses.

- Where logical connections can be created to increase the permeability and accessibility to destinations (including, but not limited to access to public transport, open spaces, schools or shops), development on strategic sites or within block lengths that exceed 100 meters should allow for pedestrian and bicycle links to the satisfaction of the Responsible Authority.

- Access linkages should be designed to provide for an open visual sightline at eye level, include canopy landscaping and facilitate passive surveillance or active frontages, where applicable.

- On strategic sites and sites with frontages exceeding 100 metres development should be sited and designed to accommodate new pedestrian links between streets.

- Development should contribute to a greater mix of dwelling sizes due to their greater development potential.

- Development should achieve a transition in scale to the surrounding area, especially along sensitive interfaces.

- A clear separation between public and private uses should be achieved without the use of high fences.

- Incorporate the potential in the built form for a mix of uses in locations where an active frontage is shown in subclause 6.0.

- Any development of land at 6-34 High Street and 31 Plenty Road should provide for an open and publicly accessible pedestrian and bicycle connection along the southern side boundary between High Street and Plenty Road.

- Any development of land at 2-4 High Street should provide for an open and publicly accessible pedestrian and bicycle connection along the northern side boundary.

- Development on 50 Plenty Road should:
  - Be limited to no more than a maximum of four storeys above natural ground level where development is within the transitional buffer of 10 metres (see Figure 1 below). The transitional buffer distance is to be measured perpendicular to the eastern boundary of the development site;
  - Provide for an open and publicly accessible pedestrian and bicycle connection between Plenty Road and Dundas Street;
  - Provide for deep root landscaping to soften the street edge towards Plenty Road by setting buildings back 4 metres and for screening of new development to adjoining sensitive interfaces to the rear.
2.3  
**Access and parking**

- Pedestrian access to buildings should be achieved via High Street, Plenty Road, Raglan Street, Dundas Street and Oakover Road or secondary frontages, where applicable, and must be clearly visible, secure and have an identifiable sense of address. Residential and commercial entrances should be distinguishable from each other.

- The common pedestrian areas of new buildings should be designed with legible and convenient access.

- Bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

- Where reasonably practicable, vehicle access should be created from side streets or rear laneways.

- Development should limit the amount and width of vehicle crossovers onto St Georges Road.

- Avoid right turning vehicles across the Plenty Road tram tracks including U-turns and encourage the use of ‘Left in’ and ‘Left out’ only vehicle access in accordance with the Public Transport Guidelines for Land Use and Development, 2008.

- Under-croft car parking may be considered if it is sleeved within development so that it is concealed from the public realm.

3.0  
**Application requirements**

An application for development should include, as appropriate and to the satisfaction of the Responsible Authority, the following:

- Urban design context report and design response.

- Traffic assessment and management plan, including a bicycle parking plan.

- Acoustic assessment.

- Waste management plan.

4.0  
**Advertising signs**

Other than the permit requirements of the zone and Clause 52.05, the following requirements apply:

- Any signage above the ground floor level (including above verandahs, canopies etc.) is discouraged.

- Signs should fit within the architectural forms and be integrated with the design of the building and must not exceed or protrude above verandahs, canopies etc.

5.0  
**Decision guidelines**

Before deciding on an application, the Responsible Authority must consider:

- Whether the objectives and design requirements of this schedule have been met, in particular:
  - Whether the potential for land consolidation has been utilised to achieve higher dwelling density and to ensure high quality design outcomes as described in this schedule;
  - Whether the development is of high architectural quality and contributes to a high quality streetscape and pedestrian environment as prescribed in this schedule;
  - Whether the development represents a well-considered design response, including the provision of:
    - adaptable floor layouts to allow for different uses and/or the combination of units over time;
. a building design that achieves front and rear facing dwellings to reduce the reliance on side boundary facing light courts;

. innovative building siting and massing that allows for the replication of those conditions on adjoining sites, achieving a development pattern with a positive cumulative effect for potential off-site and on-site amenity conditions.

. Whether new pedestrian linkages are logical and achievable and the quality of such connections, including achieving straight pedestrian sightlines, light access and landscaping;

. Whether the development complies with the rear setback requirements as specified in subclause 6.0 of this clause.

. Whether the amount and size of vehicle crossovers to High Street, Plenty Road, Raglan Street, Dundas Street, Miller Street or Oakover Road and side streets have been kept to a minimum.

. Whether the design strategies and guidelines of the *Urban Design Framework 2015 St Georges Road and Plenty Road Corridors* have been met.

. The extent to which a development within the Design and Development Overlay Schedule 3 area achieves a transition in scale at a zoning interface.
Precinct Map

Map 1: The Junction – South Preston
Reference Documents

Darebin Housing Strategy 2013 (Revised 2015)

Public Transport Guidelines for Land Use and Development, 2008
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

2 – 2A HIGH STREET, NORTHCOTE

1.0 Design Objectives

To ensure that any development incorporates an active and open interface to the Merri Creek and its environs.

To facilitate the improvement of the amenity of public areas surrounding the site, especially along the creek frontage.

To minimise the negative amenity impacts of the adjacent elevated railway.

To ensure that a high level of environmental efficiency is achieved through any redevelopment of the site.

To ensure diversity of housing types and layout.

To minimise the impact of any development through the use of natural tones in building materials, finishes and colours.

2.0 Buildings and Works

No permit will be issued until the Responsible Authority is satisfied that the Design Objectives of this Schedule have been met.

2.1 Interface with Merri Creek

The southern side of any building should incorporate features that encourage an active interface with the creek, for example:

- Provision of pedestrian access from the building to Creek Parade
- Provision of open spaces with direct access to Creek Parade at or close to the Creek Parade level.

Development should be designed to ensure that it does not overwhelm, nor unreasonably overshadow the adjacent PPRZ land.

2.2 Interface with Rail Line

The eastern side of any building should take account of the elevated railway.

Any application must be accompanied by a report from an acoustic engineer demonstrating that appropriate consideration has been given to the use of proper sound attenuation devices to ensure the objectives of this Design and Development Overlay are met.

2.3 Interface with Urquhart Street

The northern side of any building should adequately address the street by means of variation of materials and articulation.

With regard to the materials used, natural tones and finishes are encouraged.

Development facing Urquhart Street should not dominate the tree canopy, nor overwhelm the existing streetscape.

2.4 Energy Efficiency

Development on the site must achieve a five (5) star energy rating assessed in accordance with the Sustainable Energy Authority of Victoria ‘First Rate’ system or equivalent.
Subdivision

Subdivision must be in accordance with an approved concept plan.

Decision guidelines

Before deciding on an application, the Responsible Authority must consider:

- The interface with the creek frontage.
- The quality of the building design and materials to be used and encouraging natural tones and finishes.
- The innovative design-response of any building to ensure the design addresses the opportunities and constraints of the site.
- The treatment of the building with regard to noise attenuation from the railway.
- The energy rating of the building.
- The impact of the development on the neighbouring public open space including consideration of overshadowing, passive surveillance and intrusiveness.
- The contribution the development makes to the streetscape.
- The design and location of pedestrian and vehicular access and egress from the site.
- Any approved concept plan.
1.0 Design objectives

To ensure that the following valued public views and vistas are retained and protected from unreasonable encroachment by nearby buildings:

- From All Nations Park hilltop to:
  - the Doncaster ridgeline
  - the Dandenong Ranges
  - ‘Willsmere’ and the Yarra Bend parklands
- The sense of broad views to the horizon and openness in the All Nations Park.

2.0 Buildings and works

A permit is not required to construct a building or construct or carry out works if the requirement in the table below is met.

<table>
<thead>
<tr>
<th>Area</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Properties within DDO5 located to the north of Brickworks Lane and east of the All Nations Park.</td>
<td>Buildings should not exceed 8 metres in height.</td>
</tr>
</tbody>
</table>

3.0 Decision guidelines

Before deciding on an application, the Responsible Authority must consider:

- The impact of the building on any identified viewlines and vistas.
- The provisions of the High Street Corridor Land Use and Urban Design Policy.

Reference Documents

SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9.

NOISE AMENITY AREA

1.0  
Design Objectives

To ensure that development for residential and other sensitive uses incorporate appropriate acoustic attenuation measures in its design to have regard to nearby industrial activity.

2.0  
Buildings and Works

No permit is required for a building or works unless it is associated with a use listed below.

- Accommodation
- Child care centre
- Display Home
- Education centre
- Funeral Parlour
- Hospital
- Library
- Office

Building design

- Development should avoid using external balconies, recreation and courtyard areas facing existing industrial uses.
- Development should avoid openable windows in walls facing existing industrial uses.
- Development should provide acoustic insulation for habitable rooms that may be affected by noise emanating from existing industrial uses.

Application Requirements

All planning permit applications must be accompanied by a design response report demonstrating how the proposed building or works meets the requirements of this Schedule.

3.0  
Decision guidelines

Before deciding on an application, the Responsible Authority must consider as appropriate:

- How the design of the development respects the operations of the surrounding land use.
- The building design and materials to be used to buffer the development against background noise.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10.

AVIATION OBSTACLE REFERRAL HEIGHT AREA

1.0

Design objectives
To ensure that the height of all buildings and works are constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the Liberty Parade, West Heidelberg Emergency Medical Services (EMS) helicopter landing site and to facilitate safe EMS helicopter operations.

To ensure that the flight paths associated with the Liberty Parade, West Heidelberg EMS helicopter landing site are protected from the encroachment of obstacles which may affect the safe and effective operation of the EMS helicopter landing site.

2.0

Buildings and works
A permit is required to construct a building or construct or carry out works with a constructed height that exceeds 62.9 metres above the Australian Height Datum.

For the purposes of this clause ‘buildings and works’ includes radio masts, television antenna and flagpoles and any construction equipment associated with the buildings and works.

3.0

Referral of Applications
An application for buildings or works which exceeds a height of 62.9 metres above the Australian Height Datum, must be referred to the Department of Human Services under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing by the responsible authority and the Department of Human Services.

4.0

Decision guidelines
Before deciding on an application the responsible authority must consider:

- the views of the Department of Human Services.
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

AVIATION OBSTACLE REFERRAL HEIGHT AREA

1.0 Design objectives

To ensure that the height of all buildings and works are constrained within specified limits to avoid creating a hazard to aircraft in the vicinity of the Liberty Parade, West Heidelberg Emergency Medical Services (EMS) helicopter landing site and to facilitate safe EMS helicopter operations. To ensure that the flight paths associated with the Liberty Parade, West Heidelberg EMS helicopter landing site are protected from the encroachment of obstacles which may affect the safe and effective operation of the EMS helicopter landing site.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works with a constructed height that exceeds 74.9 metres above the Australian Height Datum.

For the purposes of this clause ‘buildings and works’ includes radio masts, television antenna and flagpoles and any construction equipment associated with the buildings and works.

3.0 Referral of Applications

An application for buildings or works which exceed a height of 74.9 metres above the Australian Height Datum, must be referred to the Department of Human Services under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing by the responsible authority and the Department of Human Services.

4.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- the views of the Department of Human Services.
SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12.

RAILWAY NOISE ATTENTION AREA

1.0 Design objectives
To ensure that development incorporates appropriate noise attenuation measures to minimise railway noise levels within the development.
To achieve appropriate railway noise attenuation levels having regard to the proposed use of the land.

2.0 Buildings and works
Buildings and works must be sited and designed to incorporate appropriate noise attenuation measures to minimise railway noise levels within the development to the satisfaction of the responsible authority.

An application must be accompanied by a report prepared by a suitably qualified acoustic engineer that recommends appropriate noise attenuation measures to minimise railway noise levels within the development having regard to the proposed use of the land. Any recommendations by the acoustic engineer to meet the design objectives must be incorporated in the development. If in the opinion of the responsible authority, a report prepared by a suitably qualified acoustic engineer is not relevant to the assessment of an application, the responsible authority may waive the requirement.

3.0 Decision guidelines
Before deciding on an application the responsible authority must consider:

- Whether the development incorporates appropriate noise attenuation measures to minimise railway noise levels within the development having regard to the proposed use of the land.
- The extent to which the development incorporates the recommendations of the acoustic engineer in the report submitted with the application.

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.
SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

GADD STREET, NORTHCOTE

1.0

**Design objectives**

- To support integrated redevelopment of the site.
- To ensure that new development makes a positive contribution to Gadd Street through appropriate siting and design of high quality contemporary architecture.
- To ensure that new development is of a scale and form which respects the identified heritage buildings and features of significance.
- To encourage the adaptive re-use of significant heritage buildings and other existing features.
- To encourage new development of a scale and form that interprets the industrial street wall character of Gadd Street.
- To ensure that new development responds appropriately to the residential amenity of Bird Avenue and Emmaline Street.
- To ensure that the siting and design of new development avoids amenity conflicts with adjoining industrial development.
- To encourage environmentally sustainable development of the site.
- To ensure the development contributes to the diversity of housing types and layout in the municipality.
- To ensure redevelopment provides a high level of on-site amenity for new residents.
- To establish Gadd Street as a high amenity pedestrian environment.
- To ensure that new development does not have an adverse impact on local traffic conditions and promotes a safe walkable environment.

2.0

**Buildings and works**

Buildings and works should be constructed in accordance with the following requirements:

**Building Heights**

- A rooftop structure, plant or equipment should be located and designed so as not to be dominant in the view from any adjoining road or residential property to the satisfaction of the responsible authority.
- Upper level form or roof structures that exceed 10 metres should be discrete and recessive in appearance and distinguishable from the host building.
- Any upper level form above 10m should be constructed of visually permeable materials
- Upper level form above 10 metres should be setback from the street edge, be no more than 60% of the building footprint below and be detached from surrounding buildings.
- A permit may not be granted for the construction of a building or any part of a building that exceeds a height of 14 metres above ground level.

**Buildings Setback**

- New building setbacks to all frontages and boundaries should generally comply with the requirements specified on the Gadd Street Building Envelope Plan forming part of this schedule.
Vehicular access and parking
- Vehicle access must be gained via the Gadd Street frontage or laneways.
- Pedestrian access must be gained via the Gadd Street frontage.
- Car parking must not be provided within any half basement level, must not be within the front setback to the street or designed in such a manner that it will dominate the public realm.

Transition areas
- A landscaped transition area must be provided at ground level adjacent to the existing residential interfaces in accordance with the Gadd Street Building Envelope Plan. Structures such as garages, carports and outbuildings within this transition area may be considered where it can be demonstrated that they achieve the relevant Design objectives of this Schedule.

Gadd Street facades
- Facades to Gadd Street must be modulated through the provision of regular vertical divisions (for example, at approximately 10 metre intervals) and/or other similar design techniques.

Environmentally sustainable development
- Development shall incorporate innovative design that achieves high standards of environmental sustainability. Opportunities for passive solar design, natural ventilation and cooling, natural lighting, integrated water management and water sensitive urban design principles shall be incorporated into the new development.
- The responsible authority may require an Environmentally Sustainable Development Management Plan as a means of documenting and delivering sustainability outcomes.

Noise attenuation
- Any new development that will accommodate residential or other noise sensitive uses must provide acoustic insulation for habitable rooms that may be affected by noise emanating from existing industrial uses to the satisfaction of the responsible authority.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Whether a concept plan and staging plan has been developed for the area.
- The effect of new development on the amenity of neighbouring residential properties.
- How the design of the development has regard to the operations of adjoining industrial uses.
- Whether the development provides an appropriate response that minimises impacts upon significant heritage buildings and other existing features on the site.
- The extent to which the significant heritage buildings and other existing features have been retained and integrated into the development.
- The design, height and form of the development in relation to the character of the Gadd Street streetscape.
- The design, height and form of the development in relation to the existing and anticipated character of Bird Avenue to the north and Emmaline Street to the south.
- The contribution of the proposal to enhancing the pedestrian experience along Gadd Street. In particular, whether the development:
  - provides street level interest for pedestrians and opportunities for passive surveillance through the design of the building, provision of multiple entries, and the appropriate location of doors, windows, and upper level balconies and terraces.
improves the street environment for pedestrians by minimising the number of crossovers, providing articulation along facades and avoiding blank walls at street level.

- The extent to which the development minimises the impact of traffic and parking on the local road network.
- The layout and appearance of areas set aside for car parking, vehicular access, loading and unloading, and the location of any off-street car parks.
- The amenity provided within the new development with particular regard to physical noise attenuation measures. The responsible authority may require an acoustic engineering report to be provided demonstrating the use of suitable materials and building treatment to ensure internal noise levels are satisfactory.
- Whether a suitable noise environment can be achieved by the siting and design of dwellings including habitable rooms, windows, private open space and garages.
- The environmental sustainability of the new development including the use of permeable surfaces, energy efficient design and practices, the energy rating of the buildings, water re-use, stormwater best practice and recycling. The responsible authority may require an Environmentally Sustainable Development Management Plan as a means of documenting and delivering sustainability outcomes.
- The measures employed to ensure that the residential uses will not prejudice the ongoing operation of surrounding non-residential uses.
- The extent to which the Building Heights and Setbacks in the Gadd Street Building Envelope Plan forming part of this schedule are met.

Reference Documents

*Joshua Pitt’s Croxton Tannery A Brief History and Assessment of Cultural Heritage Significance (Allan Willingham, 2004)*
1.0 Design objectives

The Northcote Activity Centre Structure Plan, April 2007 (NAC Structure Plan) identifies 10 precincts where change will occur (refer to Table 1 in this schedule). These precincts are:

- Precinct A1: Arthuson Road
- Precinct A2: Central Northcote
- Precinct A3: High Street North
- Precinct A4: Croxton
- Precinct A5: High Street South
- Precinct A6: Town Hall
- Precinct A7: Creative Communities
- Precinct A8: Northcote Railway Station
- Precinct A9: Medium Change Residential
- Precinct A10: Low Change Residential

To ensure the Northcote Major Activity Centre is developed in accordance with preferred built form outcomes set out in the High Street Urban Design Framework 2005 and High Street Precinct Guidelines, 2005 where applicable.

To avoid underdevelopment of sites.

To encourage buildings with flexible floor plans that can accommodate mixed living/work activity.

To encourage a range of housing types and forms.

To encourage environmentally sustainable design in the Northcote Major Activity Centre.

To protect the economic viability of businesses by designing and constructing commercial premises to prevent unreasonable off-site amenity impacts on adjoining and nearby residential uses.

To ensure new housing provides a high level of on-site amenity for residents.

To improve pedestrian access between key destination points.

To ensure public spaces including key pedestrian streets have good solar access and weather protection.

To ensure that the following valued public views and vistas are retained and protected from unreasonable encroachment by nearby buildings:

- From All Nations Park hilltop to:
  - Mount Macedon and the Macedon Ranges
  - the Melbourne Central Business District
- The sense of broad views to the horizon and openness in the All Nations Park;
- From Rucker’s Hill (including the upper levels of the Northcote Town Hall) to the Central City skyline; and
- From the junction of Plenty Road, High Street and Miller Street (known as the ‘Y’ on High’) to the Northcote Town Hall.

To ensure the dominance of the Church spire and the Northcote Town Hall as landmarks is retained.
Design requirements

Transport and Access

- Development or redevelopment of public and private land within the centre should be designed to provide for private vehicle use and associated car parking as an additional, but not preferred form of access.
- Minimise the impact of travel on local character by:
  - Promoting pedestrian movement as the primary form of access including through infrastructure improvements.
  - Supporting public and community based transport as the secondary form of access.
  - Ensuring private vehicle access is the third and subsidiary form of access.
  - Ensuring new development improves linkages between public transport and key destinations, incorporating better transport interchanges and waiting areas where appropriate.

Urban Design and Heritage

- All infrastructure improvements in the activity centre, including street widening, paving upgrades and new buildings should have a primary focus of improving pedestrian amenity and access to and through the centre, linking key destination points.
- Formal and informal seating and resting spaces should be included as part of streetscape improvements and provision of civic spaces where key sites along High Street, Separation Street, Arthurton Road and other key destination points are developed or redeveloped.
- New landscaping of public and private spaces should incorporate indigenous and drought tolerant plants.
- Encourage the incorporation of public seating and public and community art works into major new developments and the redevelopment of existing forecourts.
- Buildings and civic/pedestrian spaces should be designed to provide access to people of all abilities.
- Surface treatments should comprise of low reflectivity materials and finishes that are of a durable type.

Building design

- All development should incorporate best practice environmentally sustainable design, demonstrated through the use of Sustainable Tools for Environmental Performance Strategy (STEPS), Sustainable Design Scorecard (SDS) or similar including:
  - Energy efficient design e.g. building orientation to achieve passive heating and cooling
  - Use of appropriate materials
  - Water sensitive urban design
  - Sustainable transportation
  - Waste reduction and management
  - Biodiversity.
- Encourage active frontages at ground level and opportunities for passive surveillance from upper levels.
- New development should reinforce the existing character of predominantly narrow shop fronts by using vertical articulation rather than horizontal.
- Development that will accommodate residential or other noise sensitive uses must provide acoustic insulation for habitable rooms that may be affected by noise from businesses, street activity, vehicular traffic and rail activities.

- Development that will accommodate entertainment and commercial uses must include noise attenuation measures to minimise amenity impacts on residential uses.

**Building setbacks**

**Front setbacks for buildings with frontage to High Street**

Buildings with a High Street frontage should be built to the front boundary up to a height of 10 metres and then set back a minimum of 1.5 metres from the front boundary per floor (as shown in Figure 1) unless a different design requirement is set out in Table 1 to this schedule.

**Figure 1 – Front setbacks for buildings with frontage to High Street**

![Front setbacks](image)

**Rear setbacks for buildings with frontage to High Street**

Where new development in High Street has a rear setback adjacent to a residential property, setbacks should be designed in accordance with the Figures below unless a different design requirement is set out in Table 1 to this schedule. (Note that these rear setback requirements are based on an extrapolation of Standard B17 in clause 55.04-1 of the Darebin Planning Scheme as shown in Figure 2).

**Figure 2 – Rear setbacks for buildings with frontage to High Street**

![Rear setbacks](image)

**Rear setbacks for buildings with frontage to High Street – Side-on residential properties separated by a laneway**

Figure 3 applies where the adjoining residential property fronts at right angles to the properties fronting High Street, as shown in Figure 3A, where a laneway separates the properties.
Figure 3 – Rear setbacks for side-on residential properties separated by a laneway

Figure 3A – Rear setbacks for side-on residential properties separated by a laneway

Rear setbacks for buildings with frontage to High Street – Side-on residential properties not separated by a laneway

Figure 4 applies where the adjoining residential property fronts at right angles to the properties fronting High Street, as shown in Figure 4A, where there is no laneway separating the properties.

Figure 4 – Rear setbacks for side-on residential properties not separated by a laneway
Figure 4A – Rear setbacks for side-on residential properties not separated by a laneway

Rear setbacks for buildings with frontage to High Street – End–on properties separated by a laneway

Figure 5 applies where the adjoining residential property has frontage to a street parallel to High Street, as shown in Figure 5A, where a laneway separates the properties.

Figure 5 – Rear setbacks for end-on properties separated by a laneway

Figure 5A – Rear setbacks for end-on properties separated by a laneway

Rear setbacks for buildings with frontage to High Street – End-on residential properties not separated by a laneway

Figure 6 applies where the adjoining residential property has frontage to a street parallel to High Street, as shown in Figure 6A, where there is no laneway separating the properties.
3.0 Buildings and works

Storey
For the purposes of this schedule, ‘storey’ does not include a basement. The minimum height of a commercial storey (floor to floor) is 3.8m. The minimum height of a residential storey (floor to floor) is 3m.

Permit requirement
A permit is required to construct a building or carry out works.
This does not apply to:

- Construction or carrying out the following within a Commercial Zone:
  - The installation of an automatic teller machine.
  - An alteration to an existing building facade provided:
    - The alteration does not include the installation of an external roller shutter or security grill.
    - At least 80 per cent of the building facade at ground level is maintained as an entry or window with clear glazing.
  - Works carried out for the purpose of site remediation.
  - An awning that projects over a road if it is authorised by the relevant public land manager.

- Construction or extension of the following within a Residential Zone:
  - A single dwelling on a site greater than 300 sq.m.
  - Works normal to a dwelling.
New development should address the above design objectives and design requirements for the centre as well as any design outcomes and design requirements specified for individual precincts in Table 1 to this schedule.

Table 1 should be read in conjunction with the Northcote Activity Centre Structure Plan.

A permit may be granted for buildings and works that do not accord with the design requirements and design outcomes of this schedule except for the height requirements for the Australian Horizons sites (Figure 11) provided the design objectives are met.

**Information to be submitted with an application**

In addition to other information required to be submitted with an application for a planning permit, applications must be accompanied by the following plans and reports to the satisfaction of the responsible authority:

- A comprehensive planning and urban design analysis addressing the following matters, as appropriate:
  - details of how the proposed development responds to the design objectives, design requirements and design outcomes of this schedule
  - three dimensional views of the proposal within the context of surrounding buildings
  - material finishes
  - an assessment of any existing buildings on the site of heritage, architectural or cultural significance
  - a description of the predominant neighbourhood and streetscape character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building
  - an assessment of off-site impacts of the proposed building, such as overshadowing and/or overlooking, in particular overshadowing of important public spaces and main streets
  - identification of any opportunities for new landmark structures and how such structures relate to any existing landmarks and important views
  - details of the overall site yield/floor space and an assessment of the effects on services, traffic generation and parking demand
  - how the proposed building and land use engages with and contributes to the activity of the street.
- Three dimensional representations of the proposal within the context of the surrounding buildings.
- A constructed perspective representation accurately showing the proposed building(s) as viewed from the high point of the All Nations Park and the junction of Plenty Road, High Street and Miller Street (known as the ‘Y’ on High) for land with frontage to High Street in the High Street North and Croxton Precincts and Central Northcote Precinct, north of Arthurton Road and Separation Street and west of the All Nations Park.
- An Environmentally Sustainable Development (ESD) Management Plan prepared by a suitably qualified environmental engineer. The management plan should address among other things:
  - Energy efficiency
  - Opportunities for a reduction of impervious surfaces
  - Opportunities for stormwater reduction and management including collection and re-use
  - Re-use of grey water
  - Orientation and layout
- Waste management and reduction
- Noise attenuation.

The Responsible Authority may waive the requirement for an ESD Management Plan for minor buildings and works.

- An assessment of access to and circulation through/around the site for vehicles, pedestrians and cyclists.

- Where a precinct or sub-precinct has particular solar access requirements, applications for new buildings or additions / alterations that will increase the height and / or decrease the setback of the street facade of a building must be accompanied by a shadow assessment demonstrating that the solar access objectives for the precinct will be met.

- In the case of new residential development located within or adjacent to a business or mixed use zone, a report prepared by a suitably qualified acoustic specialist outlining appropriate measures to provide acoustic protection for future residents.

Where a site is within more than one precinct each street frontage must conform to the requirements of the relevant precinct provisions. Where part of a site is within another precinct, but does not have any street frontage, this part may be considered as part of the main precinct as long as it does not adversely impact on the design outcomes for both precincts.

**Exemption from notice and review**

An application to construct a building or construct or carry out works on land other than within a Residential 1 Zone which conforms with the requirements of this schedule and is generally in accordance with the *Northcote Activity Centre Structure Plan, April 2007* and the *High Street Urban Design Framework* and *High Street Precinct Guidelines, 2005* is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

This does not exempt any application from notification and review requirements under any other clause, zone or overlay.

**Subdivision**

Applications for subdivision of existing sites that are not associated with a development proposal that supports the objectives promoted by this Scheme for the Northcote Activity Centre are discouraged.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Whether the proposed development achieves the design objectives, design requirements and design outcomes of this schedule.

- The architectural quality and innovative response of the building design.

- The impact of the building on any identified viewlines.

- The contribution the development makes to urban design and the streetscapes of the area, including pedestrian and public spaces and car parking areas.

- Use of environmentally sustainable design principles and techniques.

**Reference documents**

Northcote Activity Centre Structure Plan, April 2007

High Street Urban Design Framework, 2005 and High Street Precinct Guidelines, 2005
Northcote Activity Centre Structure Plan Neighbourhood Character Guidelines – Low Change Residential Precinct

Northcote Activity Centre Structure Plan Neighbourhood Character Guidelines – Medium Change Residential Precinct

Guidelines for Higher Density Residential Development DSE, 2004

Table 1 to Schedule 14

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<th>Precinct A1 Artherton Road</th>
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New development should provide an integrated public, pedestrian and street-based continuous retail and commercial edge along Artherton Road between High Street and Herbert Street.

Design outcomes

General

Design new development to:

- Maximise opportunities for multi-storey development and avoid underdevelopment.
- Provide an appropriate built form transition at identified interface areas within and between precincts.
- Respect the key views from the All Nations Park hilltop to the west.
- Facilitate active frontage to public and private streets, car parks and pathways.
- Incorporate additional or improved walkways or streets to improve access within the precinct and between the precinct and key destination points within the activity centre.

The height of new development on the Australian Horizons sites must not exceed the heights shown in Figure 11.

A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.

Permeability and access

- Adequate and appropriately located and designed pedestrian walkways or streets will be provided to improve access throughout the precinct.
- The street network within the precinct will be designed to provide for safety, efficiency and a high level of amenity for pedestrians and vehicles, including bicycles.
- Development will be sited and designed to activate any new streets and walkways created as a result of adjoining development.
- New development should provide for at least one north-south shared accessway connection between Artherton Road and Elm Street with a pedestrian focus, approximately midway between Herbert Street and High Street.
- The Artherton Road reservation should be widened by 5.0 metres to the north.
- Any new off-street car parking areas should be located and designed to minimise:
  - visibility from adjoining streets
  - the number of vehicle crossovers.
- Redevelopment adjoining the Artherton Road car park should be reorientated to address and provide surveillance of the car park and any adjoining pedestrian walkways.

Redevelopment fronting Artherton Road (north side)

- The lower 3 storeys of development must provide zero lot alignment to a widened road reservation.
- Buildings above 3 storeys should be setback from the street to enable sunlight at 12.00pm on 21 June (winter solstice) to reach the southern edge of the footpath on the south side of Artherton Road.

Elm Street interface

- Development opposite or adjacent to established residential areas will:
  - provide an appropriate built form transition at the interface with these areas.
  - be sited and designed to minimise adverse impacts on the amenity of the neighbouring residential properties.
- Development should be set back a minimum of 3.5 metres from the street frontage.
- Verandahs should not encroach any more than 2 metres within the setback.
Precinct A1 Arthurton Road

Helen Street residential properties interface
- Development adjacent to established residential areas will be sited and designed to minimise adverse amenity impacts.
- Development adjacent to Helen Street residential properties should be:
  - of a height no greater than 2 storeys
  - comply with ResCode provisions adjacent to the north-facing rear yards of these properties.

Precinct A2 Central Northcote

New development should provide an integrated public, pedestrian and street-based continuous retail edge along Separation Street between High Street and Northcote Plaza (on the north side) and the Northcote library (on the south side).

Design outcomes

General:
- The individual components of the precinct including Northcote Plaza, Northcote Central, community facilities and High Street retail areas will be better integrated by a network of pedestrian friendly streets.
- The relatively intact, valued and historically significant Victorian and Edwardian streetscape will be retained and enhanced.
- Redevelopment should lead to outwardly-focused development facing Separation Street, Arthurton Road, Robbs Parade and the entry to Northcote Plaza.
- Links between Northcote Plaza and All Nations Park should be strengthened to establish a safe, functional public realm that is attractive to users.
- The access and operational requirements of the Northcote Police Station complex will be protected.

Permeability and access:
- Improved pedestrian amenity along Separation Street and Robbs Parade through improved streetscapes and active retail or business frontage to these streets.
- Improved public transport interchange/waiting areas.
- Active pedestrian links between High Street, the railway station and residential areas will be created by integrating development with rear parking and local access ways.
- New development and redevelopment should be designed to allow for passive surveillance of any adjoining pedestrian thoroughfares.
- Redevelopment of sites fronting the east side of High Street, and south of Separation Street should include integrated and publicly-available off-street car parking, pedestrian links through to High Street and better pedestrian and service vehicle access.

Building forms:
- Existing heritage elements of significance will be conserved through facilitating better use of existing or extended buildings.
- Redevelopment along the north side of Separation Street should be constructed to the street frontage to provide an attractive, active and safe streetscape.
- Development at ground floor should provide retail or business frontage that activates the Arthurton Road car park and supports safe pedestrian access through the area.
- The facade of any replacement building that extends across two or more lots should be designed to appear as multiple buildings of typical frontage width.
- Multi-storey developments should incorporate vertically articulated building forms, within the context of the High Street Urban Design Framework. Finer grain smaller frontages should also be a feature of development, particularly to Separation Street and Robbs Parade (refer Figure 7 below).
Precinct A2 Central Northcote

Figure 7 – High Street building articulation

Buildings on land with frontage to High Street, south of Arthurton Road and Separation Street

Buildings on land with a frontage of 15 metres or less to High Street are not to exceed one level above existing building floor levels and any part of the building above the existing front facade height is to be set back behind the facade so that it does not extend more than 15% above the apparent front wall height when viewed from the footpath opposite the site (as indicated in Figures 8 and 9 below).

Buildings on land with a frontage greater than 15 metres to High Street should not exceed 4 storeys or the height of any existing building on the site (whichever is greater).

Buildings on land with frontage to High Street, north of Arthurton Road and Separation Street (except the Northcote Central site)

Buildings should not exceed 5 storeys or the height of any existing building on the site (whichever is greater) with the maximum height determined by the protection of key views from All Nations hilltop.

Buildings on land with frontage to Separation Street (except the Northcote Central & Northcote Plaza sites)

Buildings should not exceed 4 storeys.

Buildings on the Northcote Central & Northcote Plaza sites

Buildings adjacent to the western boundary of All Nations Park should not exceed 4 storeys.

Buildings on the Northcote Central and Northcote Plaza sites that exceed 4 storeys should ensure that:

- building height and bulk does not create an overwhelming presence in the All Nations Park
- the design quality of the buildings makes a positive contribution to the built environment
- amenity in adjoining public spaces is not unreasonably affected
- solar access to the southern footpath in Separation Street is maintained.
Precinct A2 Central Northcote

Figure 8 – Front setback to shop top development above 1-storey street wall

![Diagram showing front setback to shop top development above 1-storey street wall]

Figure 9 – Front setback to shop top development above 2-storey street wall

![Diagram showing front setback to shop top development above 2-storey street wall]

Precinct A3 High Street North

This precinct supports the main convenience retail area in the Central Northcote Precinct

**Design outcomes**

**General:**

- A range of commercial and residential developments will be constructed north of Elm Street/Robbs Parade to support the core convenience retail area.
- Buildings should not exceed 5 storeys or the height of the existing building on the site (whichever is greater) with the maximum height determined by the maintenance of the view corridor to the horizon from All Nations Park hilltop.
- Buildings over 8 metres in height should:
  - be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and set back a minimum of 1.5 metres from the front building face per floor;
  - include measures (such as contrasting external wall materials) to ensure any part of the building above, and set back from, the front wall is visually recessive.

Precinct A4 Croxton

The precinct includes large sites which provide the opportunity for multi-level mixed use development that can support both the Thornbury and Northcote Activity Centres.

**Design outcomes**

**General:**

- A greener streetscape will be created on the east side of High Street, through wider setbacks in which significant landscaping is to be established.
- Rear access for service vehicles and staff car parking will be improved to support existing ground floor commercial development west of High Street.
- Built form on the east side of High Street between the Northcote RSL and Northcote Baptist Church (518-538 High Street, Northcote) should be set back 7.5 metres from the front boundary and incorporate tree planting in the setback area. The setback requirements for buildings over 8 metres in height apply as if the 7.5 metre setback was the front boundary.
Precinct A4 Croxton

- Buildings should not exceed 5 storeys or the height of the existing building on the site (whichever is greater) with the maximum height determined by the maintenance of the view corridor to the horizon from All Nations Park hilltop.

- Buildings over 8 metres in height should:
  - be built to the front and side boundaries up to a height of between 8 and 10 metres above ground level, and set back a minimum of 1.5 metres from the front building face per floor;
  - include measures (such as contrasting external wall materials) to ensure any part of the building above, and set back from, the front wall is visually recessive.
  - Building form on the west side of High Street should maintain the existing pattern of small scale commercial and retail uses.

Precinct A5 High Street South

Design outcomes

General:

- Mixed use development should support existing heritage values.

- Upper storey development should be designed for housing or business uses.

- Development and redevelopment of commercial premises fronting High Street should be designed to incorporate public access through to rear parking areas to improve pedestrian links and economic viability of businesses. This should include the link to the south of 250 High Street and the link through the Uniting Church to Eastment Street.

- Consistent building setbacks along High Street should be retained, with occasional interruption through additional setbacks to provide interest to the street.

- Setback areas should be used as a means of providing additional pedestrian and civic meeting spaces.

- A range of building heights and articulation in building form (including breaks between buildings) should be utilised to create a fine grain of architectural form and interest that works its way up the hill of Northcote. This should include an emphasis on vertical articulation and alignment of windows rather than horizontal, recognising the existing proportions of narrow shopfronts and terrace style development (refer Figure 7).

- Buildings on land with frontage to High Street of 15 metres or less should not exceed one level above existing building floor levels and any part of the building above the existing front facade height should be set back behind the facade so that it does not extend more than 15% above the apparent front wall height when viewed from the footpath opposite the site in High Street as indicated in Figures 11 and 12.

Precinct A6 Town Hall

This precinct centres on the cultural and community function of the Town Hall and Civic Square. The precinct is one of the gateways to the Activity Centre. Significant views are available to and from this hilltop location.

Design outcomes

General:

- The town hall and civic square will be promoted as key destination points in the Activity Centre.

- The town hall and civic square will be framed with built form.

- Any development on the car park west of the town hall civic square will incorporate an active interface to the former police station at 43 James Street.

- A variety of clear and safe access links will be provided to the town hall and civic square to draw people to the precinct.

- The southern entry to the Activity Centre will be improved through redevelopment of currently underutilised or unattractive properties.

- The former police station building will be retained.

- Development of land in High Street east of the town hall and civic square should, where possible, consolidate properties and redevelop buildings to multi-level mixed use activities.
Precinct A6 Town Hall

- Development of land on the south side of James Street and to the rear of High Street properties on its western side should, where possible, consolidate properties and redevelop single and double storey buildings to create a greater sense of enclosure and ‘framing’ of the civic square.

- Buildings at 44, 46 or 48 James Street should not exceed 71.4 AHD.

- Building heights on the west side of High Street between James Street and Clarke Street (153-183 High Street) should not exceed an overall height of 2 storeys, or the height of the existing building on the site (whichever is the greater) but not exceeding 12 metres.

- Building heights on the south west corner of High Street and Clarke Street (149 High Street), the adjoining property at 174 Clarke Street and 147 High Street should not exceed 12 metres.

- Buildings on land on the east side of High Street, between the northern end of the precinct and James Street and with a frontage of 15 metres or less, should not exceed one level above the existing building floor levels.

- Buildings on land on the east side of High Street, between the northern end of the precinct and James Street and with a frontage greater than 15 metres, should not exceed an overall height of 4 storeys or the height of any existing building on the site (whichever is greater).

- Any redevelopment of the medium density housing development located at the south east corner of James Street and High Street should be designed to create a more active and attractive facade to High Street.

- Any redevelopment of land forming part of the church site at the north east corner of Bayview and High Street (164 High Street) should include active frontage to the street, maintain view lines to the church spire and incorporate a minimum of 5% land as open space at the Bayview Street/High Street corner for civic and landscape space purposes.

- Building heights on the east side of High Street between James Street and Clarke Street (154-170 High Street) should not exceed an overall height of 4 storeys or the height of the existing building on the site (whichever is greater).

- Building heights on the east side of High Street, south of Clarke Street (136-148 High Street) should not exceed an overall height of 3 storeys or the height of the existing building on the site (whichever is the greater).

Precinct A7 Creative Communities

These precincts have a history of being used for a mix of living and working. Development that supports the arts and design industries will be encouraged.

Design outcomes

General:

- A mix of business and living will be facilitated throughout the precinct in appropriately designed development, particularly in Frederick Street, Eastment Street and areas that directly abut the rear of High Street (including the Artherton Road car park), while acknowledging the service function these areas provide to businesses in High Street.

- The heritage of the following streets and areas will be conserved:
  - Eastment Street as a working street.
  - The Wimble and Frederick Street area as a mix of living and working spaces.
  - The frontage to Helen Street as a residential street.

- Development of Helen Street properties that abut the Artherton Road car park should promote surveillance of the car park. An appropriate design response may include buildings up to a height of three storeys as indicated in Figure 10.

- New development should incorporate a mix of living/studio floor plans with buildings designed to enable flexibility in use over time.

- Any redevelopment of properties at the north end of Eastment Street should be designed and constructed to overlook the adjacent Helen Street Park and car parking areas north of Hawthorn Road to improve surveillance of these areas.

- Development on the east side of Eastment Street should integrate with former industrial sites on the west side of the street by incorporating live/work spaces.

- Redevelopment of sites abutting existing laneways should be designed to provide adequate surveillance of the laneway(s).
Precinct A7 Creative Communities

- Front boundary setbacks in Eastment Street should be staggered (i.e. some buildings should be built on the front boundary and some should be set back to provide landscaped spaces).
- Buildings should be built:
  - to the rear boundary of properties in High Street.
  - to the frontage of the Arthurton Road car park.

Figure 10 – Helen Street interface

Permeability & access

- Safer and more direct east-west pedestrian links will be provided from High Street to:
  - the Northcote Railway Station;
  - Helen Street to the west; and
  - Frederick and Balgonie Streets to the east.
- Opportunities for shared pedestrian and vehicle space to enhance the precinct as a pedestrian-orientated environment will be identified and developed.
- Service vehicle access to properties in Eastment, Frederick and Wimble Streets and to the Arthurton Road car park should continue to be provided without dominating street frontages.

Precinct A8 Northcote Railway Station

This precinct centres on the Northcote Railway Station and surrounding green space within the rail corridor. Increased patronage of the rail service and passive surveillance of the area is encouraged.

Design outcomes

General:

- The role of the railway station as a community resource will be reinforced through improving the station’s visual connection and address to Arthurton Road.
- Pedestrian access between the station and High Street and Arthurton Road will be improved.
- The station buildings will be conserved as elements of community value and significance.

Precinct A9 Medium Change Residential

Design outcomes

General:

- The heritage value of existing residential housing stock will be acknowledged in new development.
Precinct A9 Medium Change Residential

- Building forms of 3-4 storeys will be allowed where off-site amenity impacts can be minimised, particularly adjacent to commercial zones and where larger sites can accommodate such form.
- Development should be designed to accord with Clause 55 of the planning scheme, the Northcote Activity Centre Structure Plan Neighbourhood Character Guidelines – Medium Change Residential Precinct and the Guidelines for Higher Density Residential Development DSE, 2004 where applicable.

Precinct A10 Low Change Residential

The future role and character of these areas will continue to reflect Northcote’s signature small-scale relatively dense, conventional housing, minor infill development and larger family dwellings in the eastern parts of the Activity Centre.

Design outcomes

General:

- Development will reflect the need to maintain rear yards and streetscape elements as part of the character of these areas.
- Dwellings of heritage significance and/or that contribute to the valued character of the area should be retained and incorporated in new development.
- Development will recognise the sustainability benefits of maintaining areas of terrace housing stock.
- Buildings on properties described as 1, 2, 3, 4 & 6 Kellett Street and 3, 3A and 5 Brickworks Lane should not exceed 8 metres.
- Development should be designed to accord with Clause 55 of the planning scheme, and the Northcote Activity Centre Structure Plan Neighbourhood Character Guidelines – Low Change Residential Precinct.
Precinct A10 Low Change Residential

Figure 11 – Australian Horizons site building heights and setbacks plan
Precinct A10 Low Change Residential

Figure 12 – Northcote Major Activity Centre precinct plan
SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO15.

195-209 ST GEORGES ROAD, NORTHCOTE

1.0 Design objectives

To support the integrated redevelopment of the site.

To encourage the creation of a high quality public realm through quality architectural design and attractive frontages.

To ensure that the height, siting and design of new development does not adversely impact on the amenity of neighbouring residential properties.

To ensure redevelopment provides a high level of amenity for site occupants.

To limit unreasonable visual bulk of new development to the public realm and adjacent properties through appropriate scale, form and articulation.

To promote environmentally sustainable design.

To ensure that development does not adversely impact on local traffic conditions and promotes a safe pedestrian friendly environment.

2.0 Buildings and works

Buildings and works should be constructed in accordance with the following requirements:

Building height and setbacks

- Building height and building setbacks to all frontages and boundaries should generally comply with the Preferred Building Envelope plan forming part of this schedule.

- Development proposals which seek to exceed the Preferred Building Envelope plan forming part of this schedule must be of exemplary design standard and demonstrate compliance with the design objectives of this schedule.

- Rooftop building, plant or equipment should be located and designed to minimise its visibility from any adjoining road and residential properties to the satisfaction of the responsible authority.

Building form

- Development should be orientated towards street frontages with an appropriate degree of articulation and variation of materials and finishes.

- Ground level frontages to St George's Road should be attractively designed, with glazing and articulation enabling passive surveillance to the street, and have clearly defined pedestrian entry points.

- Development is to step down in height to the western boundary and generally comply with the Preferred Building Envelope plan forming part of this schedule to minimise impacts on adjacent residential properties.

- Development should be designed to avoid unreasonable impacts on the amenity of adjoining residential properties in terms of visual bulk, overshadowing, overlooking and noise.

- The design and layout of development should provide appropriate levels of amenity to occupants of the site, including protection of residential or other noise-sensitive uses from excessive noise, provision of adequate ventilation and access to natural daylight.

Pedestrian access and movement

- Pedestrian entry (s) to any development should be provided from main street frontages via a central lobby (s) that is easily identifiable and visible.
Car parking and vehicle access

- Car parking or loading areas should not dominate the streetscape or building design and should, where possible, be located in basements or to the rear of the site away from the St Georges Road frontage.
- Access to car parking should be provided via the side streets or where practical utilising the rear right of way.
- The number of access points to the site should be minimised and vehicle access directly off St Georges Road should be avoided.

Environmentally sustainable design

- Development should incorporate innovative design that achieves high standards of environmental sustainability. Opportunities for passive solar design, natural ventilation and cooling, natural lighting, integrated water management and water sensitive urban design principles are strongly encouraged to be incorporated into any new development.
- The responsible authority may require an Environmentally Sustainable Development Management Plan as a means of documenting and delivering sustainability outcomes.

Application requirements

Any application to develop the site must include:

- An Environmentally Sustainable Development Management Plan that demonstrates how the development provides for environmentally sustainable design in relation to:
  - Passive solar design.
  - Natural ventilation.
  - Water conservation and re-use.
  - Energy efficiency.
  - Orientation and layout of the development.
  - Materials.
- An Amenity Impact Assessment that demonstrates how the amenity of occupants of any residential and other noise-sensitive use in the development are not detrimentally affected by other uses on the site.

The Responsible Authority may waive or reduce any of these application requirements if in its opinion the application is minor in nature or a requirement is not relevant to the evaluation of the application.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design objectives of this schedule.
- The architectural quality and innovative response of the building design.
- The proposed streetscape design.
- The layout and appearance of areas set aside for car parking, vehicular access and loading and unloading.
- The design and location of pedestrian and vehicular access and egress from the site.
- The extent to which the development minimises the impact of traffic and parking on the road network.
- The views of the relevant road management authority.
- The effect of new development on the amenity of neighbouring residential properties.
- The height and form of development to the public realm.
- The environmental performance of the development.
- The extent to which the development achieves the design objectives set out in the *Design Guidelines for Higher Density Residential Development* published by the Department of Sustainability and Environment (2004).
1.0 Design objectives

General

- To encourage high quality urban redevelopment that achieves higher residential densities via lot consolidation along St Georges Road.
- To ensure development promotes active modes of transport.
- To ensure new development supports activating areas along St Georges Road, in particular:
  - At Merri Parade/St Georges Road junction; and
  - Around the intersections with Gladstone Avenue, Normanby Avenue, Hutton Street, Oakover Road and Bell Street.
- To encourage commercial and residential development to improve the visual amenity of built form along St Georges Road and the adjoining public realm via high quality urban design and architecture, including the preferred retention of existing shopfront facades and the reflection of the fine-grain rhythm of traditional shopfronts and residential development in new proposals.
- To ensure development achieves a balance between intensification, and the consideration of off-site amenity impacts.
- To ensure development achieves a high standard of pedestrian amenity at the interface with the public realm and promotes a safe pedestrian friendly environment.
- To ensure the cumulative effect of development along St Georges Road leads to the creation of high quality design outcomes, including ensuring similar future development potential and high quality design outcomes on adjoining land within the St Georges Road corridor.
- To encourage adaptable building layouts that can support a variety of commercial and/or residential uses over time.
- To ensure development on corner lots provides a transition in scale along the side street frontage that responds to the character of adjoining sites to the rear.
- To ensure a diversity of dwelling sizes and configurations with easy accessibility to public transport and commercial services.
- To ensure rear building setbacks are not visually dominant to adjoining residential sites and are sympathetic to the topography of the land, stepping up or down with the fall of the land.

Access and Parking

- To encourage convenient pedestrian connectivity through strategic development sites.
- To ensure development provides convenient bicycle and vehicle parking and access conditions.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers, especially on to St Georges Road.
- To encourage development that minimises vehicle crossovers to St Georges Road and provides rear lane or side street vehicular access instead.

2.0 Buildings and works

New development should be constructed in accordance with the objectives and general requirements of this schedule.
A permit is required to construct a front fence that is above 1.2 metres above natural ground level. A permit is not required:

- To extend a single dwelling, or carry out works in association with an existing single dwelling on a lot in excess of 300 square metres, provided the buildings and works do not exceed or breach the preferred building heights and front, side and rear setback requirements in this schedule.

- To construct or extend an out-building, garage, car port or other structure associated with an existing single dwelling, provided that it is set back from the front facade of the dwelling and does not exceed the preferred building heights or encroaches on the minimum front, side and rear setback requirements in this schedule.

### General building envelope requirements

#### 2.1-1 Minimum frontage width to St Georges Road

Land should be consolidated as follows to enable higher densities and create favourable conditions for high quality development outcomes:

- Land to be developed in a Commercial 1 Zone or Mixed Use Zone 1 should have a minimum frontage width of 15 metres.

- Land to be developed in the General Residential Zone or the Residential Growth Zone should have a minimum frontage width of 20 metres.

- Where a development does not achieve the frontage width requirements above, it must demonstrate, to the satisfaction of the Responsible Authority, how the proposal intends to achieve exemplary design outcomes. Such a development may not be eligible to build to the maximum height.

- The minimum frontage width requirements do not apply to maintenance works to existing buildings, façade works, internal restructuring and ground floor extensions to existing structures or to heritage overlay areas.

#### 2.1-2 Building height

Any new building must not exceed the maximum height shown on the maps to this schedule. Heights are calculated at 4 metres for a ground floor level and 3 metres per upper floor level plus 1 metre for potential parapets.

The maximum heights shown on the precinct maps to this schedule cannot be varied with a permit.

- For the purpose of this schedule:
  - 3 storeys means a maximum height of 11 metres;
  - 4 storeys means a maximum height of 14 metres;
  - 5 storeys means a maximum height of 17 metres;
  - 6 storeys means a maximum height of 20 metres

- The maximum height applies across the entire site above existing natural ground level, where within the allowable building envelope. Reference points are to be taken from each site corner to direct heights across sloping site levels.

- Rooftop plant and equipment and equipment associated with communal areas can exceed the specified height but such parts should not be visible from the surrounding public realm and adjoining properties to the rear (including laneway separation).
2.1-3 **Building setbacks**

At the interface with St Georges Road buildings should create the following continuous street wall conditions to retain a pedestrian scale (see Figures 1 and 2 below):

- In a Commercial 1 or Mixed Use Zone 1, the front setback from St Georges Road should be zero for the first four storeys (inclusive). Development on the west side of St Georges Road between Smith Street and Harold Street, Thornbury should be set back from St Georges Road by 1 metre.

- In a Residential Growth Zone 1, the front setback from St Georges Road should be 3 metres minimum for the first three storeys (inclusive).

- In a General Residential Zone 2, the front setback from St Georges Road should be 3 metres minimum for the first two storeys (inclusive).

- Where active frontages are required in subclause 6.0, boundary to boundary construction towards the frontage and along side boundaries is encouraged.

- Higher storeys should be setback from the street wall and either side boundary at an adequate distance to create a separation between the lower and upper parts of a building. Such space should be usable for secluded private open space.

The following rear setback conditions should be met to minimise unreasonable amenity impacts on residential land to the rear (see Figures 1 and 2 below):

- At ground level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 3 metres (including a laneway where applicable).

- At first floor level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 5.5 metres (including a laneway where applicable).

- Any other upper levels must be set back from the boundary of an adjoining residential site so as to be contained within either a 30 degree or 45 degreesetback envelope as shown on the maps in subclause 6.0 below (if no rear setback is indicated the 45 degree envelope is to be applied).

- The envelope’s angle is to be measured perpendicular to the adjoining residential site’s boundary from a height of 3 metres above natural ground level, taken from the middle point of the adjoining site’s width.

**Figures 1 and 2: Illustration of Street Edge and Rear Setback Conditions and the Potential Built Form**
The following site layout conditions should be met:

- Dwellings should be orientated towards front and rear boundaries where possible, in order to provide a high level of unobstructed daylight access. On deeper sites over 45 metres, buildings should be separated, mid-lot, to create an internal courtyard. Upper levels should be set back to allow good daylight access to dwellings at lower levels, and create a quality primary outlook for the dwellings facing the internal courtyard. Where orientation to side boundaries cannot be avoided, increasing side setbacks should be provided to enable a high level of daylight access.

- Where light courts are proposed, their footprint should be usable for secluded private open spaces, and their bounding walls at upper levels are to be set back gradually to provide a wider light court and good quality solar access to lower levels.

- Overall, development should be designed and sited so that adjacent lots can be developed in a similar manner, creating a cumulative development pattern that has consistent street edge condition, mid-lot separation of built form, and/or light court locations and side setbacks as described in this schedule.

### 2.1-4 Site coverage, permeability and walls on boundaries requirements

- Buildings should not exceed the maximum site coverage in Table 1 below.

- Permeable surfaces should not be less than the minimum in Table 1 below.

- A new wall constructed on or within 150mm of a side boundary of a lot or a carport constructed on or within 1 metre of a side boundary of lot should not abut the boundary for a length of more than the length specified in Table 1 below. This does not apply where the length of an existing or simultaneously constructed wall or carport abutting the boundary on an abutting lot is greater than the maximum allowed in Table 1.

#### Table 1: Site Coverage and Permeability

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Building design requirements

- The building mass should be directed towards St Georges Road and secondary street frontages, where applicable.

- Building structures and layouts should be adaptable so as to allow for:
  - a variety of commercial spaces and potential for combining commercial units where in a Commercial Zone 1 or Mixed Use Zone 1;
  - floor to ceiling heights at ground level to be commercial capable where in a commercial zone or Mixed Use Zone 1 and facing a primary street frontage;
  - a variety of residential layouts that allow for the combination and/or separation of units over time;
  - residential layouts that provide access for people with limited mobility.

- The building design should achieve a fine grain streetscape rhythm (especially at ground level), with wider buildings or frontages being broken into smaller vertical sections having regard to the former or prevailing development patterns.

- The visual interest of buildings should be derived from the articulation of the three dimensional built form. Considerations include:
  - providing a suitable ratio of solid and void elements;
  - providing a well-considered combination of horizontal and vertical building elements;
  - creating visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, window sills etc;
  - the application of a limited palette of materials, as suited to their location on the building.
  - The creation of visual interest should not be overly reliant on the complex application of a variety of materials or colours.

- Development should activate the public realm via passive surveillance and avoid blank walls and high solid side fences, including side street frontages.

- Building corners on side streets should be splayed at the ground floor level by a minimum of 1 metre by 1 metre to provide for open pedestrian sightlines.

- Development should allow for landscaping within front and rear setbacks (including but not limited to canopy trees, green walls and green roofs) to soften the street edge towards the public realm and assist in screening development to adjoining properties to the rear. Landscaping should ensure a sense of openness is maintained at pedestrian height to enable passive surveillance and increase safety.

- Site services including air conditioning units and gas metres should not be visible from the public realm or a sensitive interface on and off-site.

Building Design Requirements Relating to Commercial Components

- In the Commercial 1 Zone and Mixed Use Zone 1, a continuous street edge should be created, including boundary to boundary development.

- In the Commercial 1 Zone and the Mixed Use Zone 1, fixed verandahs and canopies should be provided along St Georges Road and along side streets to provide weather protection and improve the pedestrian amenity. Such structures should be set back from the kerb by 0.75 metres.

- The built form at ground floor in the Commercial 1 Zone and in the Mixed Use Zone 1 should provide for active frontages towards St Georges Road and along side streets.
- Residential entries must not dominate the frontages of buildings in a Commercial 1 Zone or in a Mixed Use Zone 1.

**Building Design Requirements Relating to Residential Components**

- Development should be sited, designed and treated to mitigate impacts from noise sources such as vehicle access ways, roads and commercial uses via well-considered building layout and the use of double glazing or other suitable attenuation measures.

- Privacy screening should be designed so it is integrated into the building. Screening should allow for distant views whilst preventing overlooking and allow for a high level of direct daylight access such as. built in planter boxes with higher outer edges or horizontal louvres.

- Development of more than 10 dwellings should provide for easily maintainable and conveniently accessible communal outdoor areas that include weather protection, seating and landscaping.

- Along the north side of Showers Street, east of St Georges Road, a transition in built form with lower heights should be achieved along the interface with Ray Bramham Gardens.

**Strategic Sites**

In addition to the above, strategic sites should also achieve the following:

- Commercial spaces on strategic sites should provide a mix of small and middle sized spaces that are suitable for a variety of commercial uses.

- Where logical connections can be created to increase the permeability and accessibility to destinations (including, but not limited to access to public transport, open spaces, schools or shops), development on strategic sites or within block lengths that exceed 100 metres should allow for pedestrian and bicycle links to the satisfaction of the Responsible Authority.

- Access linkages should be designed to provide for an open visual sightline at eye level, include canopy landscaping and facilitate passive surveillance or active frontages, where applicable.

- On strategic sites and sites with frontages exceeding 100 metres development should be sited and designed to accommodate new pedestrian links between streets where appropriate.

- Development should contribute to a diverse mix of dwelling sizes corresponding to the development potential of the site.

- Development should achieve a transition in scale to the surrounding area, especially along sensitive interfaces.

- A clear separation between public and private uses should be achieved without the use of high fences.

- Encourage a mix of uses in locations where an active frontage is shown in subclause 6.0.

- Strategic sites as shown in subclause 6.0:
  - 2 St Georges Road
  - 2 Charles Street
  - 231 St Georges Road
  - 252 St Georges Road
  - 316 St Georges Road
  - 334 – 344 St Georges Road
  - 379 – 381 St Georges Road
  - 410 St Georges Road
  - 531 St Georges Road
2.3 Access and parking

- Pedestrian access to buildings should be achieved via St Georges Road or side streets, where applicable, and must be clearly visible, secure and have an identifiable sense of address. Residential and commercial entrances should be distinguishable from each other.

- The common pedestrian areas of new buildings should be designed with legible and convenient access.

- Bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.

- Where reasonably practicable, vehicle access should be created from side streets or rear laneways.

- Development should limit the amount and width of vehicle crossovers onto St Georges Road.

- Avoid right turning vehicles across the St Georges Road tram tracks including U-turns and encourage the use of ‘Left in’ and ‘Left out’ only vehicle access in accordance with the Public Transport Guidelines for Land Use and Development, 2008.

- Under-croft car parking may be considered if it is sleeved within development so that it is concealed from the public realm.

3.0 Application requirements

An application for development should include, as appropriate and to the satisfaction of the Responsible Authority, the following:

- Urban design context report and design response.

- Traffic assessment and management plan, including a bicycle parking plan.

- Acoustic assessment.

- Waste management plan.

4.0 Advertising signs

Other than the permit requirements of the zone and Clause 52.05, the following requirements apply:

- Any signage above the ground floor level (including above verandahs and canopies) is discouraged.

- Signs should fit within the architectural forms and be integrated with the design of the building and must not exceed or protrude above verandahs or canopies.

5.0 Decision guidelines

Before deciding on an application, the Responsible Authority must consider:

- Whether the objectives and design requirements of this schedule have been met, in particular:
  - Whether the potential for land consolidation has been utilised to achieve higher dwelling density and to ensure high quality design outcomes as described in this schedule;
  - Whether the development is of high architectural quality and contributes to a high quality streetscape and pedestrian environment as prescribed in this schedule;
  - Whether the development represents a well-considered design response, including the provision of:
adaptable floor layouts to allow for different uses and/or the combination of units over time;

- a building design that achieves front and rear facing dwellings to reduce the reliance on side boundary facing light courts;

- innovative building siting and massing that allows for the replication of those conditions on adjoining sites, achieving a development pattern with a positive cumulative effect for potential off-site and on-site amenity conditions.

- Whether new pedestrian linkages are logical and achievable and the quality of such connections, including achieving straight pedestrian sightlines, light access and landscaping;

- Whether the development complies with the rear setback requirements as specified in subclause 6.0 of this clause.

- Whether the potential amount and size of vehicle crossovers to St Georges Road and side streets have been minimised.

- Whether the design strategies and guidelines of the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors have been met

- The extent to which a development within the Design and Development Overlay Schedule 16 area achieves a transition in scale at a zoning interface.
Precinct Maps

Precinct Map 1: Bridge Street to Westbourne Grove
Precinct Map 2: Sumner Avenue to Auburn Avenue
Precinct Map 3: McCracken Avenue to Bent Street
Precinct Map 4: Bent Street to Woolton Avenue
Precinct Map 5: Woolton Avenue to Ballantyne Street

Map 5
Woolton Avenue to Ballantyne Street Area

- Maximum building height (metres)
- IODD boundary
- Strategic site
- Active IPAFA
- IODD height area boundary

Legend:
- S
- DAREBIN PLANNING SCHEME

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Precinct Map 6: Ballantyne Street to Miller Street

Map 6
Ballantyne Street to Miller Street Area

- Medium building height (9-12m)
- DDD boundary
- Strategic site
- Active heritage
- DDD height area boundary
Precinct Map 8: Bell Street to Murray Road

Reference Documents

Darebin Housing Strategy 2013 (Revised 2015)

Public Transport Guidelines for Land Use and Development, 2008
SCHEDULE 17 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO17.

PLENTY ROAD CORRIDOR

1.0

Design objectives

General

- To encourage high quality urban redevelopment that achieves higher residential densities via lot consolidation along Plenty Road.
- To ensure development promotes active modes of transport and supports ongoing investment in public transport infrastructure.
- To ensure new development supports activating areas along Plenty Road, in particular in the Tyler Street, Summerhill and Lancaster Gate Activity Centres.
- To encourage commercial and residential development to improve the visual amenity of built form along Plenty Road and the adjoining public realm via high quality urban design and architecture, including the preferred retention of existing shopfront facades and the reflection of the fine-grain rhythm of traditional shopfronts and residential development in new proposals.
- To ensure development achieves a balance between intensification and the consideration of off-site amenity impacts.
- To ensure development achieves a high quality pedestrian amenity at the interface with the public realm and promotes a safe pedestrian friendly environment.
- To ensure the cumulative effect of development along Plenty Road leads to the creation of high quality design outcomes, including ensuring similar future development potential and high quality design outcomes on adjoining land within the Plenty Road corridor.
- To encourage adaptable building layouts that can support a variety of commercial and/or residential uses over time.
- To ensure development on corner lots provides a transition in scale along the side street frontage that responds to the character of adjoining sites to the rear.
- To ensure a diversity of dwelling sizes and configurations with easy accessibility to public transport and commercial services.
- To ensure rear building setbacks are not visually dominant to adjoining residential sites and are sympathetic to the topography of the land, stepping up or down with the fall of the land.

Access and Parking

- To encourage convenient pedestrian connectivity through strategic development sites.
- To ensure development provides convenient bicycle and vehicle parking and access conditions.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers, especially on to Plenty Road.
- To encourage development that minimises vehicle crossovers to Plenty Road and provides rear lane or side street vehicular access instead.

2.0

Buildings and works

New development must be constructed in accordance with the objectives and general requirements of this schedule.

A permit is required to construct a front fence that is above 1.2 metres above natural ground level.

A permit is not required:
To extend a single dwelling, or carry out works in association with an existing single dwelling on a lot in excess of 300 square metres, provided the buildings and works do not exceed or breach the preferred building heights and front, side and rear setback requirements in this schedule.

To construct or extend an out-building, garage, car port or other structure associated with an existing single dwelling, provided that it is set back from the front facade of the dwelling and does not exceed the preferred building heights or encroaches on the minimum front, side and rear setback requirements in this schedule.

### General building envelope requirements

#### Minimum frontage width to Plenty Road

Land should be consolidated as follows to enable higher densities and create favourable conditions for high quality development outcomes:

- Land to be developed in a Commercial 1 Zone and Mixed Use Zone 1 should have a minimum frontage width of 15 metres.
- Land to be developed in the General Residential Zone or the Residential Growth Zone should have a minimum frontage width of 20 metres.
- Where a development does not achieve the frontage width requirements above, it should demonstrate to the satisfaction of the Responsible Authority how the proposal intends to achieve exemplary design outcomes. Such a development may not be eligible to build to the maximum height.
- The minimum frontage width requirements do not apply to maintenance works to existing buildings, façade works, internal restructuring and ground floor extensions to existing structures or to heritage overlay areas.

#### Building height

Any new building must not exceed the maximum height shown on the maps to this schedule. Heights are calculated at 4 metres for a ground floor level and 3 metres per upper floor level plus 1 metre for potential parapets.

The maximum heights shown on the precinct maps to this schedule cannot be varied with a permit.

- For the purpose of this schedule:
  - 3 storeys means a maximum height of 11 metres;
  - 4 storeys means a maximum height of 14 metres;
  - 5 storeys means a maximum height of 17 metres;
  - 6 storeys means a maximum height of 20 metres;
  - 12 storeys means a maximum height of 38 metres.

- The maximum height applies across the entire site above existing natural ground level, where within the allowable building envelope. Reference points are to be taken from each site corner to direct heights across sloping site levels.

- Rooftop plant and equipment and equipment associated with communal areas can exceed the specified height but such parts should not be visible from the surrounding public realm and adjoining properties to the rear (including laneway separation).
2.1-3 Building setbacks

At the interface with Plenty Road, buildings should create the following continuous street wall conditions to retain a pedestrian scale (see Figures 1 and 2 below):

- In a Commercial 1 and Mixed Use Zone 1, the front setback from Plenty Road should be zero for the first four storeys (inclusive). Development on the west side of Plenty Road between Boldrewood Parade and Reservoir High School, Reservoir, should be set back from Plenty Road by 3 metres.

- In a Residential Growth Zone 1, the front setback from Plenty Road should be 3 metres minimum for the first three storeys (inclusive).

- In a General Residential Zone 2, the front setback from Plenty Road should be 3 metres minimum for the first two storeys (inclusive).

- Where active frontages are required in subclause 6.0, boundary to boundary construction towards the frontage and along side boundaries is encouraged.

- Higher storeys should be setback from the street wall and either side boundary at an adequate distance to create a separation between the lower and upper parts of a building. Such space should be usable for secluded private open space.

The following rear setback conditions must be met to minimise unreasonable amenity impacts on residential land to the rear (see Figures 1 and 2 below):

- At ground level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 3 metres (including a laneway where applicable).

- At first floor level, the rear setback of a building from the boundary of an adjoining residential site must be set back by a minimum of 5.5 metres (including a laneway where applicable).

- Any other upper levels must be set back from the boundary of an adjoining residential site so as to be contained within either a 30 degree or 45 degree setback envelope as shown on the maps in subclause 6.0 below (if no rear setback is indicated the 45 degree envelope is to be applied).

- The envelope’s angle is to be measured perpendicular to the adjoining residential site’s boundary from a height of 3 metres above natural ground level, taken from the middle point of the adjoining site’s width.

**Figures 1 and 2: Illustration of Street Edge and Rear Setback Conditions and the Potential Built Form**

The images above are proposed to be deleted and replaced with the images below to reflect updates and clarification to closer match the built form DDO17 requires and better explain how street edge and rear setback conditions are to be achieved.
The following site layout conditions should be met:

- Dwellings should be orientated towards front and rear boundaries where possible, in order to provide a high level of unobstructed daylight access. On deeper sites over 45 metres, buildings should be separated, mid-lot, to create an internal courtyard. Upper levels should be set back to allow good daylight access to dwellings at lower levels, and create a quality primary outlook for the dwellings facing the internal courtyard. Where orientation to side boundaries cannot be avoided, increasing side setbacks should be provided to enable a high level of daylight access.

- Where light courts are proposed, their footprint should be usable for secluded private open spaces, and their bounding walls at upper levels are to be set back gradually to provide a wider light court and good quality solar access to lower levels.

- Overall, development should be designed and sited so that adjacent lots can be developed in a similar manner, creating a cumulative development pattern that has consistent street edge condition, mid-lot separation of built form, and/or light court locations and side setbacks as described in this schedule.

2.1-4 Site coverage, permeability and walls on boundaries requirements

- Buildings should not exceed the maximum site coverage in Table 1 below.

- Permeable surfaces should not be less than the minimum in Table 1 below.

- A new wall constructed on or within 150mm of a side boundary of a lot or a carport constructed on or within 1 metre of a side boundary of lot should not abut the boundary for a length of more than the length specified in Table 1 below. This does not apply where the length of an existing or simultaneously constructed wall or carport abutting the boundary on an abutting lot is greater than the maximum allowed in Table 1.

Table 1: Site Coverage and Permeability

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Building design requirements

- The building mass should be directed towards Plenty Road and secondary street frontages, where applicable.

- Building structures and layouts should be adaptable so as to allow for:
  - a variety of commercial spaces and potential for combining commercial units where in a Commercial Zone 1 or Mixed Use Zone 1;
  - floor to ceiling heights at ground level to be commercial capable where in a commercial zone or Mixed Use Zone 1 and facing a primary street frontage;
  - a variety of residential layouts that allow for the combination and/or separation of units over time;
  - residential layouts that provide access for people with limited mobility.

- The building design should achieve a regular, fine grain streetscape rhythm (especially at ground level), with wider buildings or frontages being broken into smaller vertical sections having regard to the former or prevailing development patterns.

- The visual interest of buildings should be derived from the articulation of the built form. Considerations include:
  - providing a suitable ratio of solid and void elements;
  - providing a well-considered combination of horizontal and vertical building elements;
  - creating visual interest through the arrangement of fenestration, balconies and the application of architectural features such as external shading devices, window sills etc.;
  - the application of a limited palette of materials, as suited to their location on the building;
  - The creation of visual interest should not be overly reliant on the complex application of a variety of materials or colours.

- Development should activate the public realm via passive surveillance and avoid blank walls and high solid side fences, including side street frontages.

- Where a blank wall is proposed in a mid-block location as an interim condition subject to future adjoining development, the colour, texture or finish of the wall should be designed to provide visual interest to passing pedestrians.

- Building corners on side streets should be splayed at the ground floor level by a minimum of 1 metre by 1 metre to provide for open pedestrian sightlines.

- Development should allow for landscaping within front and rear setbacks (including but not limited to canopy trees, green walls and green roofs) to soften the street edge towards the public realm and assist in screening development to adjoining properties to the rear. Landscaping should ensure a sense of openness is maintained at pedestrian height to enable passive surveillance and increase safety.

- Site services such as air conditioning units, gas metres etc. should not be visible from the public realm or a sensitive interface on and off-site.

Building Design Requirements Relating to Commercial Components

- In the Commercial 1 Zone and Mixed Use Zone 1, a continuous street edge should be created, including boundary to boundary development.

- In the Commercial 1 Zone and the Mixed Use Zone 1 fixed verandahs, canopies etc. should be provided along Plenty Road and along side streets to provide weather protection and improve the pedestrian amenity. Such structures should be set back from the kerb by 0.75 metres.
The built form at ground floor in the Commercial 1 Zone and in a Mixed Use Zone 1 should provide for active frontages towards Plenty Road and along side streets.

Residential entries must not dominate the frontages of buildings in a Commercial 1 Zone or in a Mixed Use Zone 1.

**Building Design Requirements Relating to Residential Components**

- Development should be sited, designed and treated to mitigate impacts from noise sources such as vehicle access ways, roads, commercial uses etc. via e.g. well-considered building layout and the use of double glazing or other suitable attenuation measures.

- Privacy screening should be designed so it is integrated into the building. Screening should allow for distant views whilst preventing overlooking and allow for a high level of direct daylight access, e.g. built in planter boxes with higher outer edges or horizontal louvres.

- Development of more than 10 dwellings should provide for easily maintainable and conveniently accessible communal outdoor areas that include weather protection, seating and landscaping.

**Strategic Sites**

In addition to the above, strategic sites should also achieve the following:

- Commercial spaces on strategic sites should provide a mix of small (e.g. 100 square metres) and middle sized spaces that are suitable for a variety commercial uses.

- Where logical connections can be created to increase the permeability and accessibility to destinations (including, but not limited to access to public transport, open spaces, schools or shops), development on strategic sites or within block lengths that exceed 100 meters should allow for pedestrian and bicycle links to the satisfaction of the Responsible Authority.

- Access linkages should be designed to provide for an open visual sightline at eye level, include canopy landscaping and facilitate passive surveillance or active frontages, where applicable.

- On strategic sites and sites with frontages exceeding 100 metres development should be sited and designed to accommodate new pedestrian links between streets.

- Development should contribute to a greater mix of dwelling sizes due to their greater development potential.

- Development should achieve a transition in scale to the surrounding area, especially along sensitive interfaces.

- A clear separation between public and private uses should be achieved without the use of high fences.

- Incorporate the potential in the built form for a mix of uses in locations where an active frontage is shown in subclause 6.0.

For land at 800, 800A and 820 Plenty Road, Reservoir, the following should also be achieved:

- Built form within 10m of the rear boundaries adjoining sensitive residential interfaces should be no higher than two storeys above the height of the existing adjoining dwellings.

- Taller built forms should be positioned closer to Plenty Road with a distinctive podium to give proportion and scale to the lower levels that reinforce a pedestrian scale and active frontage.

For land at 830 and 850 Plenty Road, Reservoir, the following should also be achieved:

- Multi-storey residential with mixed use at ground level. High quality front of building design consisting of a podium between 1 – 4 storeys with taller built form set back from Plenty Road towards the middle of the site and set back from sensitive interfaces to the south.

- Built form within 10m of the rear boundaries adjoining sensitive residential interfaces should be no higher than two storeys above the height of the existing adjoining dwellings.
- Taller built forms should be positioned closer to Plenty Road with a distinctive podium to give proportion and scale to the lower levels that reinforce a pedestrian scale and active frontage.
- New development should be designed to minimise unreasonable wind turbulence at ground level.

For land 1091 Plenty Road, Reservoir, the following should also be achieved:
- Consolidate the tallest built form towards the middle of the site;
- Increase the separation from, and respect for the sensitive interface with Bundoora Park, through a transition buffer in the form of a new local street and landscaping at the park interface;
- Setback development from Bundoora Park interface to allow for deep root landscaping with canopy trees;
- No development within tree protection zones of trees located in Bundoora Park;
- Encourage adaptive built form through higher floor to ceiling heights at ground level to facilitate a mix of uses and provide active public frontages;
- Upper level balconies and living room windows should be located to address the park and allow for passive surveillance of the public realm;
- Provide high quality landscaping of communal areas within the site to achieve a high level of safety and amenity;
- Provide clear separation between public and private uses without the need for solid fences at site boundaries.

2.3

Access and parking

- Pedestrian access to buildings should be achieved via Plenty Road or side streets, where applicable, and must be clearly visible, secure and have an identifiable sense of address. Residential and commercial entrances should be distinguishable from each other.
- The common pedestrian areas of new buildings should be designed with legible and convenient access.
- Bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses.
- Where reasonably practicable, vehicle access should be created from side streets or rear laneways.
- Development should limit the amount and width of vehicle crossovers onto Plenty Road.
- Avoid right turning vehicles across the Plenty Road tram tracks including U-turns and encourage the use of ‘Left in’ and ‘Left out’ only vehicle access in accordance with the Public Transport Guidelines for Land Use and Development, 2008.
- Under-croft car parking may be considered if it is sleeved within development so that it is concealed from the public realm.

3.0

Application requirements

An application for development should include, as appropriate and to the satisfaction of the Responsible Authority, the following:
- Urban design context report and design response.
- Traffic assessment and management plan, including a bicycle parking plan.
- Acoustic assessment.
- Waste management plan.

4.0

Advertising signs

Other than the permit requirements of the zone and Clause 52.05, the following requirements apply:

- Any signage above the ground floor level (including above verandahs, canopies etc.) is discouraged.
- Signs should fit within the architectural forms and be integrated with the design of the building and must not exceed or protrude above verandahs, canopies etc.

5.0

Decision guidelines

Before deciding on an application, the Responsible Authority must consider:

- Whether the objectives and design requirements of this schedule have been met, in particular:
  - Whether the potential for land consolidation has been utilised to achieve higher dwelling density and to ensure high quality design outcomes as described in this schedule;
  - Whether the development is of high architectural quality and contributes to a high quality streetscape and pedestrian environment as prescribed in this schedule;
  - Whether the development represents a well-considered design response, including the provision of:
    - adaptable floor layouts to allow for different uses and/or the combination of units over time;
    - a building design that achieves front and rear facing dwellings to reduce the reliance on side boundary facing light courts;
    - innovative building siting and massing that allows for the replication of those conditions on adjoining sites, achieving a development pattern with a positive cumulative effect for potential off-site and on-site amenity conditions.
  - Whether new pedestrian linkages are logical and achievable and the quality of such connections, including achieving straight pedestrian sightlines, light access and landscaping;
  - Whether the development complies with the rear setback requirements as specified in subclause 6.0 of this clause.
- Whether the potential amount and size of vehicle crossovers to Plenty Road and side streets have been minimised.
- Whether the design strategies and guidelines of the Urban Design Framework 2015 St Georges Road Corridor Plenty Road Corridor have been met.
- The extent to which a development within the Design and Development Overlay Schedule 17 area achieves a transition in scale at a zoning interface.
Precinct Maps

Precinct Map 1: Bell Street to Murray Road
Precinct Map 2: Murray Road to Albert Street
Precinct Map 3: Albert Street to Reservoir High School

Precinct Map 4-1: Crowning Street Area to Snake Gully Drive
Reference Documents

- Urban Design Framework 2015 St Georges Road Corridor Plenty Road Corridor
- Darebin Housing Strategy 2013 (Revised 2015)
- Public Transport Guidelines for Land Use and Development, 2008
SCHEDULE 18 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO18.

RESERVOIR RESIDENTIAL GROWTH AREA

1.0

Design objectives

General

- To support and encourage built form aspirations of the Reservoir Structure Plan, encourage higher density in a format that appropriately addresses interfaces with established residential areas.
- To encourage high quality development.
- To discourage underdevelopment.
- To ensure the cumulative effect of development leads to the creation of high quality design outcomes.
- To provide an appropriate transition in scale and design to surrounding areas planned for less intensive development outcomes in General Residential and Neighbourhood Residential zones.
- To provide an appropriate transition in scale and design to adjoining lots with lesser development potential within the Residential Growth Zone.
- To ensure that development creates a consistent and activated high quality street edge.
- To facilitate a higher density form of housing sited within a garden setting.
- To reflect location conditions and aspirations within the precincts described below.

Parking and Access

- To ensure development provides bicycle and vehicle parking and access conditions as per objectives and guidelines of Clause 22.06.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers.
- To create new laneway links in consolidated development to support alternative vehicle access and parking away.
- To minimise adverse impacts of development on local traffic conditions.

2.0

Buildings and works

Permit Requirement

A permit is not required:

- To construct or extend a single dwelling, or carry out works in association with the use of a single dwelling on a lot in excess of 300 square metres,
- Buildings and works associated with any existing and lawful non-residential use on the land,
- To construct or extend an out-building, garage, carport or other structure associated with a dwelling on a lot in excess of 300 square metres provided that it is set back front, side and rear boundaries in accordance with requirements of the zone.
2.2

Application

The requirements below apply for multi-dwelling development and are in addition to the general built form objectives contained in the Residential and Mixed Use Development Policy at Clause 22.06 and the Residential Built Form Guidelines, 2014.

Where the requirements of this Schedule conflict with and/or are inconsistent with the requirements of Clause 55, the requirements of this Schedule shall prevail.

2.3

Reservoir Activity Centre Residential Area Preferred Built Form Outcome

The area comprises precincts within the Reservoir Activity Centre designated for residential intensification by the Reservoir Structure Plan. Broadly, the four precincts represent a ‘corridor’ extending from Edwardes Lake to Boldrewood Parade, generally of a single lot depth. The precincts share interfaces with commercial activity centre land or established residential land and future development will need to consider the immediate site context through design.

Precinct A: Edwardes Street Precinct

Edwardes Street comprises a number of one and two storey unit or townhouse developments. Lots remaining are fragmented, varying in size and generally have a narrow and long configuration. Lots in this precinct are generally constrained by front vehicle access due to lack of laneway access and share interfaces with existing low scale unit development.

Precinct B: Broadway

Development along Broadway is relatively consistent in scale and format, with much of the original building stock remaining, and the pattern of subdivision remaining intact. Corner sites are the exception with several multi-dwelling redevelopment.

Sensitive interfaces to adjoining properties to the north and particularly to the south are a key issue for future development along Broadway. Townhouses should be discouraged where they will negatively impact on the development yield of the precinct.

Precinct C: Spring St

The Spring Street Precinct includes two key consolidation opportunities comprised of variously configured adjoining a school and church site. Townhouses should be discouraged where they will negatively impact on the development yield of the precinct.

Precinct D: Bedford St

- The residential pocket is surrounded by commercial areas on the north, east and west sides. It comprises long deep blocks and contains a number of single and two storey unit developments. The precinct presents opportunities for consolidation, however interfaces with existing low scale unit development require careful management.

2.4

General Requirements

- New development should demonstrate how it will correspond to existing conditions (such as secluded private open spaces and habitable room windows) on adjoining sites that are unlikely to be developed (e.g. strata titled lots).

- The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated.

- Through orderly and functional siting and design new development should be oriented to maximise the quantity of dwellings overlooking the public realm and minimise the need for screening to habitable living rooms and private open spaces or balconies within the development.
Development should provide for rooms with direct daylight access and avoid layouts which rely on daylight access through an adjacent room or deeply recessed window corridors designed in a ‘battle-axe’ configuration.

A domestic design approach is encouraged and should comprise a balance of solid and void elements, embellished with architectural features such as balconies, fenestration, window sills, eaves and roof forms.

Materials should be recognisably domestic in their application and finish, having regard to the site context, e.g. brick and timber. Composite panelling or materials that are typical of commercial buildings are discouraged.

Blank walls and high side fences should be avoided. Where a blank wall is proposed as an interim condition subject to future adjoining development, the colour, texture or finish of the wall should be designed to be attractive to passing pedestrians.

Ground floor units should provide an address to the front street. Pedestrian entries should be clearly visible from the public domain.

### Street Frontage

- Building mass should be directed towards street frontages.
- Ground floor units should have direct access and address to street frontages.
- Pedestrian access points to different ground floor uses should be clearly defined and appropriately separated from residential uses.
- Pedestrian entries should be clearly visible from the public domain.

### Building Height and Setback Requirements

- Development should be set back from front and side boundaries in accordance with the requirements of the zone and to enable deep root planting where practicable.
- Buildings should be set back from rear boundaries in accordance with the requirements of the zone and the principles shown in Figures 1 and 2 below.

**Figure 1: Rear Setback**
Fixed external screens, balustrades, eaves, gutters, downpipes and other building appurtenances may protrude vertically into the rear setback envelope by up to 1 metre. Balconies, decks or terraces may not encroach into the rear setback envelope. Screening on side boundaries with residential zones must comply with the requirements of Clause 55.04-1.

2.7 Access and Parking

Where practical, vehicle access should be created from side streets or rear laneways.

In mid-block locations on consolidated, new crossovers should be limited to one double width crossover per development to maximise public safety, on-street parking and traffic flow.

Developments fronting busy streets should minimise vehicle crossovers and ensure that vehicles can enter and exit the site in a forward direction with provision for ‘left in’ and left out’ turning movements.

Under-croft or basement car parking is acceptable provided that these areas are concealed from the street.

Under-croft arrangements should conceal vehicle parking behind ground floor development that is oriented towards the site frontage.

Bicycle parking should be sited and designed to be convenient and easily accessible to the street.

3.0 Subdivision

An application for subdivision must be accompanied by a planning permit application for a development proposal.

4.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the design objectives and buildings and works requirements of this schedule have been met.

- Whether the proposed development seeks to achieve the development outcomes encouraged through the Residential Built Form Design Guidelines, 2014.
Whether the objectives and design guidelines of Clause 22.06 have been met, as appropriate.

The extent to which a development has regard to the existing amenity of adjacent land that is unlikely to be developed in accordance with the objectives and guidelines of this schedule.

The architectural quality and innovative response of the building design.

Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.

Whether the siting and design enables provision of an appropriate extent of landscaping.

The quality of internal amenity of the proposed dwellings.

The quality of the proposed streetscape design and how the interface of development contributes to creating a high quality pedestrian environment.

The design and location of pedestrian and vehicular access and egress from the site.

The extent to which the development minimises the impact of traffic and parking on the road network.

Reference Documents

*Higher Density Residential Building Typologies September 2014*

*Reservoir Structure Plan, 2012*

*Residential Built Form Design Guidelines, 2014*
SCHEDULE 19 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

NORTHLAND URBAN RENEWAL PRECINCT

**1.0**

**Design objectives**

**General**

To encourage urban redevelopment that achieves higher densities in accordance with the objectives and vision of the *Northland Residential Neighbourhood Precinct Structure Plan, 2014* to promote active modes of transport and supports ongoing investment in public transport infrastructure.

To encourage high quality development in accordance with the directions for the La Trobe National Employment Cluster.

To provide an appropriate transition in scale and design to surrounding areas planned for less intensive development outcomes in General Residential and Neighbourhood Residential zones.

To provide an appropriate transition in scale and design to adjoining lots with lesser development potential within the Residential Growth Zone.

To ensure that development creates a consistent and activated high quality street edge.

To support the redevelopment of well-designed private and social housing in proximity to services and public transport.

To facilitate improvements to the public realm through the delivery of enhanced new pedestrian links, especially linkages to the Darebin Creek environs and services such as public transport, schools, shopping areas and parks.

**Parking and Access**

- To ensure development provides bicycle and vehicle parking and access conditions as per objectives and guidelines of Clause 22.06.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers.
- To create new laneway links in consolidated development to support alternative vehicle access and parking away.
- To minimise adverse impacts of development on local traffic conditions.

**2.0**

**Buildings and works**

**Permit Requirement**

A permit is not required:

- To construct or extend a single dwelling, or carry out works in association with the use of a single dwelling on a lot in excess of 300 square metres.

- To construct or extend an out-building, garage, carport or other structure associated with a dwelling on a lot in excess of 300 square metres provided that it is set back from front, side and rear boundaries in accordance with requirements of the zone.

**Application**

The requirements below apply for multi-dwelling development and are in addition to the general built form objectives contained in the *Residential and Mixed Use Development at Clause 22.06* and the *Residential Built Form Guidelines, 2014*.
Where the requirements of this Schedule conflict with and/or are inconsistent with the requirements of Clause 55, the requirements of this Schedule shall prevail.

2.3

Northland Residential Neighbourhood Preferred Built Form Outcome

The Northland Urban Renewal Precinct area comprises the existing traditional residential area surrounding the Northland Shopping Centre. This precinct extends north from Murray Road to the southern edge of the Summerhill Village neighbourhood centre. In addition to housing, the precinct also accommodates the East Preston Islamic College and the Preston North East Primary School.

The precinct includes a high proportion of aged housing stock and is predominantly occupied by single storey detached dwellings on 500-600sqm lots. There are also significant areas of cluster housing and townhouses that have emerged over the last 20 years, predominately along and north of Wood Street.

Public housing currently accounts for over 20% of all dwelling stock in the precinct. Much of the original detached public housing stock is now in private ownership, however the proportion of public housing remains much higher than the Melbourne average.

This area continues to experience gradual change as a consequence of an aging community and a number of long term residents down-sizing. Renewal is in the form of renovations, upgrade and maintenance of public housing stock, and villa unit or townhouse development. Most streets in the precinct run east-west so the potential for overshadowing of private open space from built form should be carefully considered.

Redevelopment to a taller built form in this area relies on the consolidation of lots to create parcels over 1000m2 as strategic sites. As such these sites are better able to manage the negative off-site impacts and those at the sensitive interfaces.

There are strong opportunities for lot consolidation within the precinct to achieve:

- more efficient redevelopment parcels and apartment style built form;
- encourage a more compact built urban form;
- deliver a higher level of surrounding amenity at ground level;
- improve pedestrian safety;
- promote active modes of transport (walking and cycling); and
- improve public/private interfaces to create high quality streetscapes.

Precinct A:

This precinct is proximate to the Northland Shopping Centre and contains several large strategic opportunity sites. There is the potential for mixed use developments by encouraging flexible ground level building footprints to cater for uses including home-based businesses, or community uses opposite the Shopping Centre. Along these edges where a greater emphasis is being placed on improving the quality of the public realm and reducing front setbacks, it should be considered to foster increased casual surveillance of the street and interaction with the public realm.

Precinct B:

This Precinct is disconnected from the southern edge of the Summerhill Village shopping centre by a significant land fall, although there is the potential for improving several pedestrian/road connections. It is anticipated that increased development pressure will occur as the area becomes recognised for its proximity to employment opportunities and local services and schools.

Redevelopment is encouraged where it enables buildings to face onto public open space, especially in locations where open space currently is bordered by side or rear fences.
Precinct C:

The northern section of this corridor extends from Murray Road north approximately 1800 metres to a major intersection with Plenty Road and Bouldrewood Parade. It forms the western edge to the La Trobe National Employment Cluster. This road takes a high volume of traffic daily which will continue to grow as the greater sub-region population increases. The housing stock along Albert Road is characterised by single stand along dwellings with a front garden space. The changing role of this major arterial road is expected to lead to an increasing decline in amenity and individual site accessibility.

The low level of redevelopment on this corridor to date affords the opportunity for future consolidation of lots to create efficient development parcels and a compact urban form is encouraged within the precinct. It is likely that mixed uses such a small business servicing the local area will establish on consolidated and corner sites along this corridor.

General Requirements

- New development should demonstrate how it will correspond to existing conditions (such as secluded private open spaces and habitable room windows) on adjoining sites that are unlikely to be developed (e.g. strata titled lots).

- The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated.

- Through orderly and functional siting and design new development should be oriented to maximise the quantity of dwellings overlooking the public realm and minimise the need for screening to habitable living rooms and private open spaces or balconies within the development.

- Development should provide for rooms with direct daylight access and avoid layouts which rely on daylight access through an adjacent room or deeply recessed window corridors designed in a ‘battle-axe’ configuration.

- Apart from the Albert Street corridor, a domestic design approach is encouraged and should comprise a balance of solid and void elements, embellished with architectural features such as balconies, fenestration, window sills, eaves and roof forms.

- Materials should be recognisably domestic in their application and finish, having regard to the site context, e.g. brick and timber. Composite panelling or materials that are typical of commercial buildings are discouraged in residential streets.

- Blank walls and high side fences should be avoided. Where a blank wall is proposed as an interim condition subject to future adjoining development, the colour, texture or finish of the wall should be designed to be attractive to passing pedestrians.

- New development adjoining Darebin Creek public open spaces should engage with these environments via windows which overlook, fencing which is visually permeable and attractive design which enhances passive surveillance and enjoyment of these public spaces.

- On Strategic Sites and sites with frontages exceeding 100 metres development should be sited and designed to accommodate new pedestrian through-links between streets.

New development adjoining the Darebin Creek environs and related public open spaces should engage with these environments via one of several of the following measures:

- Orientation development towards the creek environs, public open spaces and towards Autumndale Avenue and Seston Street;

- Providing smaller building footprints to create access and orientation the creek environs;

- Allowing a transition of scale towards the creek environs through the stepping down of buildings;

- Utilising increased landscaping opportunities for screening purposes towards the creek environs;
Creating surveillance opportunities via habitable room windows, visual permeability and low fencing;

Providing for attractive façade design via the use of muted tones and colours.

2.5 Street Frontage

Building mass should be directed towards street frontages.

Ground floor units should have direct access and address to street frontages.

Pedestrian access points to different ground floor uses should be clearly defined and appropriately separated from residential uses.

Pedestrian entries should be clearly visible from the public domain.

Along Albert Street all development should be oriented to the Albert Street frontage.

Corner site developments should provide a transition in scale on the side street frontage that responds to the character of housing adjoining the site.

Front fencing should have a maximum height of 1.5 metres, or 1.2 metres in Urban Apartment areas. Where allowed over 1.2 metres the fencing should be visually permeable.

In the Urban Apartment area achieve development with mixed use potential incorporating the following features:

- floor to ceiling heights that can accommodate non-residential uses including home-based businesses, community uses and other non-residential uses permitted by the Residential Growth Zone;
- a high degree of transparent glazing and direct entries to the street to facilitate passive surveillance of the street; and
- building setbacks from the street minimised to create close and direct physical links between the street and non-residential uses supported by direct entries which are easily identified from the street.

2.6 Building Height and Setback Requirements

Development should be set back from front and side boundaries in accordance with the requirements of the zone and to enable deep root planting where practicable.

Buildings should be set back from rear boundaries in accordance with the requirements of the zone and the principles shown in Figures 1 and 2 below.
Fixed external screens, balustrades, eaves, gutters, downpipes and other building appurtenances may protrude vertically into the rear setback envelope by up to 1 metre. Balconies, decks or terraces may not encroach into the rear setback envelope. Screening on side boundaries with residential zones must comply with the requirements of Clause 55.04-1.

2.7

**Strategic Sites**

**80 Tyler Street, Reservoir (1.4ha site):**

- Redevelopment of this site should facilitate the following:
  - A north/south pedestrian/street connection across the site to provide a connection to Blake Street in the long term.
  - Visual interest across the site through variation in built form height, scale, and materials.
  - High quality communal spaces that are lined with building fronts and with areas for deep root planting for canopy trees.
- A clear separation between public and private uses without the use of high fences.
- A transition in built form and height to the surrounding area, especially along sensitive interfaces.
- Incorporate mixed uses at ground level in locations where an active frontage condition can be achieved.

55 Tyler Street, Preston (8.6ha site):

- Redevelopment of the site should facilitate the following:
  - East/west pedestrian/street connections through the site from the end of Oak Street and Wood Street to provide access to the creek corridor;
  - Residential development should front onto the Darebin Creek and gain access from this edge to provide casual surveillance;
  - A clear distinction at the interface between public and private uses without the use of high front fences;
  - Public access along the Darebin Creek escarpment or 22 metres from the Creek bank (whichever is greater) without overt intrusion into private open spaces;
  - No development within the tree protection areas of the Creek corridor;
  - Appropriate landscaping that complements the Creek corridor; and
  - A transition from taller built form down to two storeys at the Creek interface.

Access and Parking

- Where practical, vehicle access should be created from side streets or rear laneways.
- In mid-block locations, lots should be consolidated with new crossovers limited to one double width crossover per development to maximise public safety, on-street parking and traffic flow.
- Developments fronting Albert Street should minimise vehicle crossovers and ensure that vehicles can enter and exit the site in a forward direction with provision for ‘left in’ and left out’ turning movements.
- Under-croft or basement car parking is acceptable provided that these areas are concealed from the street.
- Under-croft arrangements should conceal vehicle parking behind ground floor development that is oriented towards the site frontage.
- Bicycle parking should be sited and designed to be convenient and easily accessible to the street.

Subdivision

An application for subdivision must be accompanied by a planning permit application for a development proposal

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the design objectives and buildings and works requirements of this schedule have been met.
- Whether the proposed development seeks to achieve the development outcomes encouraged through the Residential Built Form Design Guidelines, 2014.
Whether the objectives and design guidelines of Clause 22.06 have been met, as appropriate.

The extent to which a development has regard to the existing amenity of adjacent land that is unlikely to be developed in accordance with the objectives and guidelines of this schedule.

The architectural quality and innovative response of the building design.

Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.

Whether buildings in the ‘Urban Apartment’ area have been designed with adaptable ground floor conditions that can support non-residential uses.

Whether the siting and design enables provision of an appropriate extent of landscaping.

The quality of internal amenity of the proposed dwellings.

The quality of the proposed streetscape design and how the interface of development contributes to creating a high quality pedestrian environment.

The design and location of pedestrian and vehicular access and egress from the site.

The extent to which the development minimises the impact of traffic and parking on the road network.

The quality of design and level of activation towards public spaces such as the Darebin Creek environs and public open spaces.

Whether new linkages are provided, as appropriate, and the quality of connection and pedestrian environment they will achieve.

Reference Documents

*Higher Density Residential Building Typologies September 2014*

*Northland Residential Neighbourhood Precinct Structure Plan, 2014*

*Residential Built Form Guidelines, 2014.*
SCHEDULE 20 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO20.

STATION ST FAIRFIELD – RESIDENTIAL GROWTH AREA

1.0

Design objectives

General

- To encourage urban redevelopment that achieves higher densities in accordance with the objectives and vision of the Darebin Housing Strategy.
- To recognise the precinct as a corridor where urban renewal in the form of low rise apartments is underway, and to implement design controls to guide further development and better manage urban growth.
- To balance the development opportunities and discourage underdevelopment in a manner that retains the village scale in the locality and responds to sensitive interfaces.
- To encourage high quality development.
- To encourage built form to be focussed towards the Station Street frontage, to provide better amenity outcomes for adjoining residential interfaces.
- To provide an appropriate transition in scale and design to surrounding areas planned for less intensive development outcomes in General Residential and Neighbourhood Residential zones.
- To provide an appropriate transition in scale and design to adjoining lots with lesser development potential within the Residential Growth Zone.
- To ensure that development creates a consistent and activated high quality street edge.
- To facilitate a higher density form of housing sited within a garden setting.

Parking and Access

- To ensure development provides bicycle and vehicle parking and access conditions as per objectives and guidelines of Clause 22.06.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers.
- To create new laneway links in consolidated development to support alternative vehicle access and parking away.
- To minimise adverse impacts of development on local traffic conditions.

Buildings and works

Permit Requirement

A permit is not required:

- To construct or extend a single dwelling, or carry out works in association with the use of a single dwelling on a lot in excess of 300 square metres,
- Buildings and works associated with any existing and lawful non-residential use on the land.
- To construct or extend an out-building, garage, car port or other structure associated with a dwelling on a lot in excess of 300 square metres provided that it is set back front, side and rear boundaries in accordance with requirements of the zone.
Application

The requirements below apply for multi-dwelling development and are in addition to the general built form objectives contained in the local policy: Residential and Mixed Use Development at Clause 22.06 and the Residential Built Form Guidelines, 2014.

Where the requirements of this Schedule conflict with and/or are inconsistent with the requirements of Clause 55, the requirements of this Schedule shall prevail.

Fairfield Preferred Built Form Outcome

Three to four storey development is preferred along Station Street. Four storey development will only be supported on larger development sites and should comprise a robust three storey base with a recessive fourth level to achieve a massing outcome that complements the tree lined pedestrian environment.

General Requirements

- Basement parking must not unreasonably limit opportunities for deep root planting on the site.
- New development should demonstrate how it will correspond to existing conditions (such as secluded private open spaces and habitable windows) on adjoining sites that are unlikely to be developed (e.g. strata titled lots).
- The common pedestrian areas of new buildings should be designed with legible and convenient access, with hallway and lobby areas of a size that reflects the quantity of apartments serviced and which can be naturally lit and ventilated.
- Through orderly and functional siting and design new development should be oriented to maximise the quantity of dwellings overlooking the public realm and minimise the need for screening to habitable living rooms and private open spaces or balconies within the development.
- Development should provide for rooms with direct daylight access and avoid layouts which rely on daylight access through an adjacent room or deeply recessed window corridors designed in a ‘battle-axe’ configuration.
- A domestic design approach is encouraged and should comprise a balance of solid and void elements, embellished with architectural features such as balconies, fenestration, window sills, eaves and roof forms.
- The character of the area is eclectic with many textures and materials to draw from in new development. The materials palette should relate to the site context. Composite panelling or materials that are typical of commercial buildings are discouraged.
- Blank walls and high side fences should be avoided. Where a blank wall is proposed as an interim condition subject to future adjoining development, the colour, texture or finish of the wall should be designed to be attractive to passing pedestrians.

Street Frontage

- Building mass should be directed towards street frontages.
- Ground floor units should provide an address to the front street.
- Pedestrian access points to different ground floor uses should be clearly defined and appropriately separated from residential uses.
- Pedestrian entries should be clearly visible from the public domain.

Building Height and Setback Requirements

- Development should be set back from front and side boundaries in accordance with the requirements of the zone and to enable deep root planting where practicable.
- Buildings should be set back from rear boundaries in accordance with the requirements of the zone and the principles shown in Figures 1 and 2 below.

**Figure 1: Rear Setback**

[Diagram of Rear Setback]

- Fixed external screens, balustrades, eaves, gutters, downpipes and other building appurtenances may protrude vertically into the rear setback envelope by up to 1 metre. Balconies, decks or terraces may not encroach into the rear setback envelope. Screening on side boundaries with residential zones must comply with the requirements of Clause 55.04-1.

**Figure 2: Rear setback with laneway interface**

[Diagram of Rear Setback with Laneway Interface]

- Access and Parking
  - Where practical, vehicle access should be created from side streets or rear laneways.
  - In mid-block locations, lots should be consolidated with new crossovers limited to one double width crossover per development to maximise public safety, on-street parking and traffic flow.
  - Developments should ensure that vehicles can enter and exit the site in a forward direction with provision for ‘left in’ and left out’ turning movements.
Under-croft or basement car parking is acceptable provided that these areas are concealed from the street.

Under-croft arrangements should conceal vehicle parking behind ground floor development that is oriented towards the site frontage.

Bicycle parking should be sited and designed to be convenient and easily accessible to the street.

Subdivision

An application for subdivision must be accompanied by a planning permit application for a development proposal.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the design objectives and buildings and works requirements of this schedule have been met.
- Whether the proposed development seeks to achieve the development outcomes encouraged through the Residential Built Form Design Guidelines, 2014.
- Whether the objectives and design guidelines of Clause 22.06 have been met, as appropriate.
- The extent to which a development has regard to the existing amenity of adjacent land that is unlikely to be developed in accordance with the objectives and guidelines of this schedule.
- The architectural quality and innovative response of the building design.
- Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the General Residential and Neighbourhood Residential zones.
- Whether the siting and design enables provision of an appropriate extent of landscaping.
- The quality of internal amenity of the proposed dwellings.
- The quality of the proposed streetscape design and how the interface of development contributes to creating a high quality pedestrian environment.
- The design and location of pedestrian and vehicular access and egress from the site.
- The extent to which the development minimises the impact of traffic and parking on the road network.

Reference Documents

Darebin Housing Strategy 2013-2033, City of Darebin
Higher Density Residential Building Typologies September 2014
Residential Built Form Design Guidelines, 2014
INTEGRATED PLAN OVERLAY

Shown on the planning scheme map as IPO 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 an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

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 an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

An application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

Preparation of the incorporated plan

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated 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 incorporated 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.
SCHEDULE 1 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO1.

NORTHLAND SHOPPING CENTRE (CONCEPT PLAN AND BUILDING ENVELOPE PLAN, NORTHLAND PLAN NO 3, SEPTEMBER 2000)

1.0 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 Concept Plan and Building Envelope Plan have been incorporated into this Scheme.

2.0 Permits not generally in accordance with incorporated plan

A permit may be granted for buildings and works that are not generally in accordance with the incorporated plan.

3.0 Requirements for incorporated plan

The incorporated plan relates to development within the whole of the Northland Shopping Centre site.

The incorporated plan for the Northland Shopping Centre must consist of a Concept Plan and Building Envelope Plan for the whole of the subject site.

The plan must show:

- The building heights for each portion of the subject site;
- The extent of development relative to the boundary of the subject site;
- Vehicle entry/exit points for the site;
- Adjoining roads as appropriate;
- The Darebin Creek control area;
- Boundary landscaping areas;
- An explanation of what elements are excluded from the calculation of building height.

4.0 Decision guidelines

In considering a planning permit for a building or works consistent with the Concept Plan and Building Envelope Plan the responsible authority must consider:

- The views of the Public Transport Corporation if the proposed development would have any implications for the public transport service at the site.
- The views of Vic Roads if the proposed development would have any implications on the functioning of the adjoining road network components that Vic Roads has responsibility for.
- The relationship with any approved Traffic Plan.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood.
- The impact of the bulk, outline and appearance of the buildings and works on the Darebin Creek areas.
- The views of the relevant drainage authority and the Darebin Creek Coordinating Committee if the proposed development would have drainage implications for the Darebin Creek catchment.
- The effectiveness of screening of mechanical plant and equipment.
- The impact of the design and appearance of buildings and car parking areas on the visual amenity and character of the surrounding 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.

Any 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.

FORMER LARUNDEL PSYCHIATRIC HOSPITAL

1.0 Requirements for development plan

The Development Plan should address the elements of the North East Corridor Strategic Plan relevant to the site and should include a plan drawn to scale which shows:

- The layout of existing and proposed buildings and works.
- All heritage buildings.
- Proposed uses on all parts of the land.
- The location of all passive and active open space.
- Elevation drawings of all buildings.
- A drainage plan that details the proposed drainage scheme to service the development.
- Details of materials and finishes to all buildings and surfaces.
- An overall scheme for landscape development including the location, spread, height, species and proposed irrigation system for all existing and proposed planting.
- An environment survey which identifies significant stands of indigenous vegetation, individual trees and fauna habitats to be preserved.
- Details of the treatment of all internal roads, road connections to the adjoining road network and the location and nature of other transport facilities to service the development.
- The treatment and design of bicycle and pedestrian pathway network, including links to adjoining land and networks.
- The staging of all development.
- The proposed subdivision of the development.
- A traffic management plan outlining traffic requirements both within and outside the site.
- Details of vegetation retention and enhancement and vegetation removal.
- Urban design guidelines.

2.0 Guidelines for consideration of development plan or permit application

The responsible authority will discourage industrial uses from locating on the land.

The responsible authority should consider whether the development plan or permit application is consistent with the North East Corridor Strategic Plan.

Any applicable heritage study and any applicable conservation policy should be considered.

Whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character of the area.

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 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 will adversely affect the significance, character or appearance of the heritage place.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

FORMER PRESTON AND NORTHCOTE COMMUNITY HOSPITAL

1.0 Requirements for development plan

The development plan should address the elements of the Guiding Principles – PANCH Redevelopment Site, Development Principles Lot 1, Development Principles Lot 2, and Development Principles Lot 3, relevant to the site including a plan drawn to scale which shows:

- The layout of existing and proposed buildings and works.
- All buildings to be retained.
- Proposed uses on all parts of the land.
- The location of all open space areas.
- The staging of all development.
- The proposed subdivision of the development.
- A traffic management plan outlining traffic requirements both within and outside the site.
- Details of the treatment of all internal roads, road connections to the adjoining road network and the location and nature of other transport facilities to service the development.
- Details of vegetation retention enhancement and removal.
- Urban design guidelines.

2.0 Guidelines for consideration of a development plan

In assessing the development plan the responsible authority should consider the Guiding Principles – PANCH Redevelopment Site, Development Principles Lot 1, Development Principles Lot 2, Development Principles Lot 3.

- Where practical reuse and appropriate refurbishment of the former hospital buildings and existing infrastructure.
- Opportunity to cater to diverse housing types to meet the needs of a variety of households including, students and the aged.
- Appropriate integration of land uses both within and external to the site.
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

FORMER THORNBURY/DAREBIN SECONDARY COLLEGE, CORNER GOOCH STREET AND SPARKS AVENUE, THORNBURY AND 328-342 GOOCH STREET, THORNBURY

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Requirements for development plan

The Development Plan will include a plan or a set of plans, drawn to scale and other supporting documentation as necessary and must show or include:

- A site analysis plan, including the boundaries and dimensions of the site.
- Appropriate physical or land use interface along the Gooch Street frontage, reflecting the ongoing industrial use of land to the north.
- Appropriate physical or land use interface along Sparks Street, reflecting the ongoing residential use of land to the west.
- Treatment of the eastern interface, consistent with the Darebin Creek Design and Development Guidelines (Precinct No.12) and improving overall accessibility to Darebin Creek.
- Any staging of buildings and works, including potential subdivision.
- A sustainable environmental management plan, detailing how the design of all new buildings and works will adhere to environmentally sustainable principles such as on-site water retention, low embodied energy principles, solar orientation and reduced energy consumption.
- A traffic plan that indicates:
  - A traffic management plan assessing the impact on the use and development of the surrounding street network.
  - Details of the design and layout of all internal roads and road connections to the adjoining road network.
  - The design and layout of pedestrian pathway network.
  - The provision of car parking spaces for each use/building.
- Reference to the scale of buildings and works at various locations on the site;
- A landscape concept plan, which addresses the interface with the creek environs, and makes provision for pedestrian / bicycle links into the reserve.
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

ARTHURTON ROW

The schedule applies to the Australian Horizons sites at 4, 8, 9-13 and 16-18 Arthuron Road and 17 Elm Street, Northcote.

1.0 Requirement before a permit is granted

A permit may be granted for use, subdivision or to construct or carry out minor works before a development plan has been approved by the responsible authority, provided it does not prejudice the preparation and approval of the development plan.

2.0 Conditions and requirements for permits

An application for use, subdivision or to construct or carry out minor works (before a development plan has been approved) must be accompanied by a report demonstrating that the proposal will not prejudice the long-term future use and development of the land in accordance with the development plan requirements specified in this schedule.

3.0 Requirements for development plan

Objectives:

The development plan must seek to achieve the objectives set out below.

- To ensure that the future use and development of the land takes advantage of this large site situated close to transit services.
- Provide for a mix of uses across the sites.
- Provide for development in a form which is generally consistent with the Northcote Major Activity Centre Structure Plan April 2007 (in particular with the Arthuron Road Precinct AR) and which achieves a high-quality built form and urban environment.
- To require a Sustainability Management Plan as the means of documenting and delivering sustainability objectives set out in the Northcote Major Activity Centre Structure Plan April 2007 for this key strategic redevelopment site.
- To encourage the development of the sites for residential, commercial, retail, service and related uses that will increase the economic and social functions of the centre.
- To provide for the addition of employment, residents, new service and retail uses in the core activity area of Northcote.
- To take advantage of the strategic position of the sites by providing for high density development.
- To provide for the extension of a residential interface along Elm Street.
- To provide for the sites to be developed in stages.
- To ensure that the use of the land for a mix of uses between non-residential uses and residential uses occurs within similar time frames.

Use:

The development plan must show or make provision for:

- The use of the sites for residential, office, shop, and other uses which will create sustainable, active, mixed use environments.
The arrangement of uses across the site to enable interaction between business and service uses where important (to create active sections), while also creating separation for residential uses from other activities.

The aggregation of uses that takes advantage of the high quality public transport, road access, cycle paths and facilities that are within walking distance of the sites.

The location and approximate uses of proposed buildings, access ways, open space and car parking areas on the sites.

Residential uses to be located along Elm Street.

Opportunities for shops, offices, sensitive uses and food and drink premises at street level for the site south of Artherton Road.

Environmental Design and Management:

Sustainability Management Plan

The Development Plan must include a Sustainability Management Plan, prepared by a suitably qualified person, for the whole of the site that demonstrates to the responsible authority how the future development of the site will strategically embody best practice Ecologically Sustainable Development (ESD). To do so it must include a sustainability assessment that will form part of the approved development plan and will address the following themes:

- Energy Efficient Design
- Integrated Water Management
- Waste Reduction
- Biodiversity
- Sustainable Transport
- Building Standards

Buildings must be capable of achieving:

1. a minimum 5 star GreenStar rating under the Green Building Council of Australia’s GreenStar Building Design Rating Tools or any successor of GreenStar; or
2. alternative accreditations of equal or greater standing as may be considered acceptable to the responsible authority at the time of approval.

Permeability and Access:

The development plan must show or make provision for:

- Artherton Road on the north-side to be widened by at least 5 metres to achieve enhanced pedestrian amenity and safety to allow for a wider pedestrian footpath, kerbside car parking and the planting of street trees.

- Artherton Road on the south side to be widened by at least 1.5 metres to achieve enhanced pedestrian amenity and safety between High Street and Herbert Street (railway station).

- The location of all vehicle access points, vehicle access ways, pedestrian access ways, linkages to the streets and to adjacent lands, recognizing that direct access to Artherton Road should be limited to a maximum of three locations on the northern side and no direct access on the southern side.

- Pedestrian linkage/s north-south, between Elm Street and Artherton Road.

- Provision for a future pedestrian connection from the Artherton Road site (north) to High Street.
- Provision of pedestrian operated signals within the vicinity of the Arthurton Road / Herbert Street intersection and details of the developer contributions towards construction and installation, to the satisfaction of the responsible authority.

**Design and Built Form:**
The development plan must show or make provision for:

**General:**
- The overall building heights (to AHD) and the number of storeys of any proposed buildings and structures.
- Take advantage of the long frontages to allow for access and individuality.
- Provide solar access by utilizing the northern aspects and through creating north-south openings within the sites.
- Achieve architectural quality and a high degree of articulation.

**Land north of Artherton Road:**
- Achieve active building interfaces along Artherton Road particularly along the eastern half of the frontage.
- Along the western half of the Artherton Road frontage, allow the option of reducing the number of building entrances to provide for separation from arterial road activities.
- Provide for predominantly continuous pedestrian shelter along the eastern section of Artherton Road.
- Along Herbert Street, manage the western sun orientation, and provide for medium to higher level building façades.
- Provide for windows and street entries that achieve passive surveillance of the streets.
- Allow for buildings to step up in height within the body of the site to achieve high density site utilisation.
- Allow for the creation of landmark building/s within the site, particularly towards the Herbert Street section where attractive views can be obtained from upper levels while achieving good separation from adjacent sensitive land uses.
- Create areas of open space within the site for residents and users.
- Orientate spaces to achieve solar access.
- Provide for transitional building heights close to the residential properties which abut the northern site.

**Land south of Artherton Road:**
- Achieve active building interfaces along Artherton Road and the Council car park frontages.
- Acknowledge street and site interface to the south by stepping building height along these edges.

**Requirement for a Mix of Uses:**
- The development plan must describe arrangements which will ensure that a mix of residential and non-residential uses occurs on the sites through development stages.
- The responsible authority may refuse a permit for an application to subdivide, use or develop the land if it considers that the granting of a permit would lead to a mix of uses not being achieved.
Integrated Transport and Traffic Management:
The development plan must make provision for and address:

- The range and scale of uses that will be anticipated on the sites.
- The estimated population of workers, visitors and residents over various times.
- Estimated vehicle trip generation levels.
- The expected staging of building occupation.
- Vehicle ingress and egress points and estimated levels of usage.
- Car parking for the uses should be limited in general supply, consistent with the transit oriented nature of the development.
- The location of car parking spaces should be situated at basement level or in structures. Visibility from the street should be limited to small sections of (generally short term) parking.
- Impacts on the arterial and local roads and any mitigating works required.
- Any proposed off-site traffic management treatments.
- Any changes identified for public transport stops, pedestrian or bicycle access ways.
- The level, allocation and location of car parking on the lands.
- Provision for secure bicycle storage for residents, and workers with end of bicycle trip facilities for workers.
- Provision for short term bicycle parking for visitors to the sites.
- Measures that can be adopted to reduce private car usage across the development.
- Provision for loading and unloading of vehicles.
- The responsible authority must consult with the relevant roads authority and relevant public transport authority prior to approving the plan.

Landscape Plan:
The development plan must include a schematic landscape plan for the whole of the sites. It must be consistent with all other development plan requirements. This plan is to indicate:

- Design philosophy.
- The identification of any sensitive interfaces and proposed treatments.
- The treatment of street edge spaces and internal spaces for vehicular and pedestrian access, bicycle parking, recreation and solar access.
- The treatment of footpaths in Elm Street, Herbert Street, Arthurton Road and Helen Street as applicable.

Environmental Management:

- The development plan is to include an assessment by a suitably qualified environmental professional. The assessment must include:
  - The nature of the previous uses or activities on the sites.
  - The length of time the activities took place.
  - What is known about contamination present on the land.
  - How the contamination is distributed.

The assessment may deal with the site in stages.
Construction Management Plan:

- The development plan must include an outline of a construction management plan which sets out the principal construction issues and how the anticipated processes will be managed.

The construction management plan must include a construction staging program and must outline:

- Measures to protect the amenity of surrounding areas through the construction period against dust, noise and stormwater control and security lighting.
- The management of construction worker vehicles.
- The delivery and storage of materials on the site.
- Addressing any site contamination (if relevant).
- A schedule of hours of work during the normal week.
- A procedure to seek specific out of hours work to deal with special construction requirements.
- Construction access to the site.
- The management of traffic operation that might affect Arthurton Road.
- Measures to limit construction vehicle activity on Elm Street.
SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme maps as DPO11.

OAKOVER VILLAGE, WEST PRESTON

This schedule applies to the majority of land (referenced in this Schedule as ‘the site’) generally bound by Oakover Road to the south, Austral Ave to the west, Railway Place to the east and a variable boundary to the north. It also applies to the land at 18a Miller Street (refer to boundaries in Sub-clause 5.0 Concept Plan of this Schedule).

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 the following:

- A permit to subdivide, use or develop the land;
- A permit to construct or carry out minor works.

The permit application must demonstrate that the proposal will not prejudice the long-term future use and development of the land in accordance with the development plan requirements specified in this schedule.

2.0 Conditions and requirements for permits

Before a development plan has been approved, an application for use of land or to construct or carry out minor works, repairs and routine maintenance to existing buildings must be accompanied by a report demonstrating that the proposal will not prejudice the long-term future use and development of the site in accordance with the development plan requirements specified in this Schedule.

3.0 Requirements for development plan

Objectives:

The development plan must seek to achieve the following objectives:

- To create a high amenity urban village through a coordinated and staged redevelopment approach that provides services and amenities for the local area.
- To ensure that the future use and development leverages the locational advantages of individual sites and the precinct (in particular Bell Train Station, Newman Reserve, Ray Bramham Gardens, schools and Tram Routes).
- To encourage the use and development of the site for appropriate residential, commercial, retail, service and related uses that will increase the economic and social functions of the centre in accordance with the sub-precinct objectives of this Schedule.
- To take advantage of the strategic position of the site by providing for a mix of residential densities including high density residential development.
- To provide for efficient and logical staging of land use and development change within the site.
- To provide for development in a form which achieves a high quality built form and urban environment.
- To incorporate Environmentally Sustainable Development (ESD) measures to aid in the reduction of energy and water consumption, the generation of waste, greenhouse emissions and achieve ESD best practice.
- To ensure design is site responsive and has regard for the equitable development of adjoining sites including the positive amenity and passive design outcomes for future development.
To ensure development provides a transition in height and massing to surrounding lower scale form and within the precinct where appropriate.

To provide for adequate building separation to maximise daylight, outlook and ventilation for existing and future development and manage overlooking between buildings.

To ensure new development achieves an appropriate interface with the public realm and provides outlooks and passive surveillance from common and private areas within the development to the adjacent public realm.

To integrate landscape design and public art into new development including opportunities for creation of green roofs and green walls and for retention or planting of trees with spreading crowns.

To consider and respond to the overshadowing effects of new development on Newman Reserve.

To prioritise pedestrian movement through the precinct and to surrounding key destinations and create a safe, continuous and clearly defined pedestrian environment.

To promote urban legibility, public access and wayfinding to and through the site including clear, legible and safe access to residential development (including residential development at upper levels).

To manage impacts on safety and efficiency of the surrounding road network.

To encourage the provision of communal shared infrastructure and joint solutions, including but not limited to drainage, car parking, pedestrian and road access, power and telecommunications.

To encourage the consolidation of lots to maximise development flexibility and efficiency.

To consider and respond to the impacts of overland flooding and site contamination.

**Sub-Precinct Objectives**

**Sub-precinct 1: Penola/Stokes**

**Uses**
- To provide for higher residential densities accommodating a range of dwelling sizes and types, including a mix of social/affordable housing.

**Built form**
- To incorporate a medium rise, built form that transitions from the higher built form in the Newman Mixed Use sub-precinct to the adjoining low-rise residential area to the north and west.

**Sub-precinct 2: Newman Mixed Use**

**Uses**
- To create an active commercial area focussed around Newman Reserve and St Georges Road frontages supported by residential apartment/mixed use activity in the western section of the sub-precinct.

**Built form**
- To consolidate higher built form within this sub-precinct utilising high quality, podium tower style development with a consistent setback from southern interfaces within the sub-precinct.
- To introduce a north-south road extension from Stott Street to Oakover Road and an east-west pedestrian/road connections, as shown on the Concept Plan in Clause 5.0 of this Schedule, that allow for a finer grain of use and development.
To encourage building setbacks of a minimum of 4 metres to Oakover Road and Austral Avenue. Development should allow for landscaping within the front setbacks (including but not limited to canopy trees, green walls and green roofs) to soften the street edge towards the public realm.

The northern edge of this precinct should have a building street wall of no more than 3 storeys.

**Sub-precinct 3: St Georges Road Landmark**

**Uses**

- To allow for prominent active retail uses on the St Georges Road frontage and Oakover and Showers Street corners at ground level with lower levels configured to allow for commercial adaptation over time and incorporating residential activity at upper levels.

**Built form**

- To create a landmark built form on 30 St Georges Road, Preston that demonstrates exemplary architecture utilising a podium and tower form with high legibility ‘in the round’ and a built form that transitions towards the Ray Bramham Gardens and residential areas to the east.

**Sub-precinct 4: Kenwood Court/Railway Place West**

**Uses**

- To support intensification of residential development and provide for active uses at ground level along the Oakover Road frontage.

**Built form**

- To encourage multi-storey, apartment style development through lot consolidation.

**Sub-precinct 5: 18a Miller Street**

**Uses**

- To provide for higher residential densities accommodating a range of dwelling sizes and types, including a mix of social/affordable housing.

**Built form**

- The building mass should be directed towards St Georges Road and Miller Street frontages.

- Development should achieve a transition in scale to the surrounding area, especially along sensitive interfaces.

**Required documents, plans and reports**

The development plan, which may be prepared and implemented in stages, must be to the satisfaction of the Responsible Authority and must comprise the following:

- A concept plan which responds to the Objectives and Sub-Precinct Objectives of this Schedule.

- Any other document, plan or report referred to in this Schedule.

The following documents must form part of the Development Plan:

**Site and Context Information**

- A site analysis that identifies the key attributes of the site, its context, the surrounding area and the site’s relationship with existing or proposed uses on adjoining land.

- A context analysis identifying the surrounding area, existing or proposed uses and built forms on adjoining land, and other neighbourhood features such as public transport, neighbourhood centres, walking and cycling connections.
- Identification of views to Newman Reserve and potentially the Melbourne CBD and the Junction skyline to be considered in the preparation of a Development Plan.
- An assessment of the existing engineering infrastructure servicing the site.

**Integrated Transport and Traffic Management:**
The development plan must make provision for and address:
- The range and scale of uses that will be anticipated on the site.
- The estimated population of workers, visitors and residents.
- Estimated vehicle trip generation levels resulting from use and development within the site.
- The expected staging of building occupation.
- Vehicle ingress and egress points and estimated levels of usage.
- Impacts on the arterial and local roads and any mitigating works required.
- Any proposed off-site traffic management treatments.
- Any changes identified for public transport stops, pedestrian or bicycle access ways.
- The level, allocation and location of car parking on the site. Car parking for the uses may be limited in general supply, consistent with the transit oriented nature of the development.
- Measures that can be adopted to reduce private car usage by residents, workers and visitors to the precinct.
- The location of car parking spaces should be situated at basement level or suitably concealed by appropriate building features such as active podium frontages or within buildings that display a high level of architectural resolution.
- Provision for secure bicycle storage for residents, and workers with end of bicycle trip facilities for workers.
- Provision for short term bicycle parking for visitors to the sites.
- Provision for loading and unloading of vehicles.

**Landscape Plan:**
The development plan must include a schematic landscape plan for the site. It must be consistent with all other development plan requirements. This plan is to indicate:
- A cohesive design theme for the site.
- The identification of any sensitive interfaces and proposed treatments.
- The treatment of street edge spaces and internal spaces for vehicular and pedestrian access, bicycle parking, recreation and solar access.
- The treatment of footpaths and public reserves.

**Construction Management Plan:**
The development plan must include construction management plan which sets out the principal construction issues and how the anticipated processes will be managed.
The construction management plan must include a construction staging program and must outline:
- Measures to protect the amenity of surrounding areas through the construction period against dust, noise and stormwater control and security lighting.
- The management of construction worker vehicles.
- The delivery and storage of materials on the site.
- How any site contamination will be addressed (if relevant).
A schedule of hours of work during the normal week.

A procedure to seek specific out of hours work to deal with special construction requirements.

Construction access to the site.

**Ecologically Sustainable Development (ESD) Strategy:**

An Ecologically Sustainable Development Strategy (ESD Strategy) must be prepared which considers and responds to the major components of the proposed development and construction processes and:

- Demonstrates the incorporation of leading technologies to achieve the highest environmental standards.
- Demonstrates how compliance with all relevant statutory obligations in environmental sustainability is achieved.
- Identifies and nominates the level of sustainability performance standards to be adopted.
- Assesses options by which the agreed level of sustainable performance standards will be achieved.

**The ESD Strategy must be based upon the following principles:**

- Energy conservation with the objective of contributing to industry standards of national and international efforts to reduce energy usage and greenhouse gas emissions.
- Water conservation, ensuring that water resources are managed in a sustainable way;
- Water sensitive urban design and options ensuring the reduction of the impacts of stormwater on bays and catchments.
- Transport planning with the aim of encouraging walking, cycling and use of public transport.
- Land use and transport planning and infrastructure provision to contribute where practical to improved air quality.
- Options to reduce the amount of waste generated and encourage increased reuse and recycling of waste materials.
- Building materials conservation.
- Sustainability options in demolition and construction practices.
- Landscaping considering the provision of habitat, green spaces, and climate control as appropriate.
- Indoor environmental quality.

**The ESD Strategy must have regard to the following:**

- Whether it is appropriate for individual plans to be prepared dealing with different aspects of the use and development.
- The need to clearly identify responsibilities for implementation, review, monitoring and maintenance.
- New resident awareness and education to promote the objectives of sustainability.

**Housing Diversity Report**

A Housing Diversity Report explaining the mix of housing proposed including:

- A proportion of the overall housing stock that may be used as affordable housing; and
- Targets for a mix of dwellings sizes including 1, 2 and 3 bedroom apartments.

The report must also include criteria for determining affordable housing stock.
Services and Infrastructure Report

A Services and Infrastructure Report must be provided to identify all existing and proposed infrastructure requirements and easements (Water, sewerage, gas, electricity, telecommunications, drainage, storm water overland flow points and water sensitive urban design) to service the proposed development.

The report must address:

- The relocation of any underground and above ground services;
- The potential to install underground above ground services;
- The potential to manage drainage including precinct wide systems to alleviate inundation from overland flows in areas covered by the Special Building Overlay; and
- Opportunities for efficiencies to be gained through shared trenching, co-located access points etc.

Land use and design principles

Use:

The development plan must show or must make provision for as relevant:

- The use of land consistent with the Objectives and Sub-Precinct Objectives of this Schedule.
- The use of the sites for appropriate residential, office, shop, and other uses which will create sustainable, active, mixed use environments.
- The arrangement of uses across the site to enable interaction between business and service uses (to create active sections), while also creating separation for residential uses from other activities.
- The aggregation of uses that takes advantage of the high quality public transport, road access, cycle paths and facilities that are within walking distance of the site.
- The location and approximate uses of proposed buildings, access ways, open space and car parking areas on the site.
- Guidelines for the design of development to allow for adaptive reuses.
- The location of various development densities and maximum building heights that will achieve an aspirational density of 1300-1500 additional apartment and unit dwellings across the whole of the site in a range of dwelling densities in the form of 1, 2 and 3 bedroom apartment and unit dwellings.
- Consideration of the views of the relevant roads authority and relevant public transport authority prior to approving the plan.

Design and Built Form:

The development plan must show or make provision for:

- The overall building heights (to AHD) and the number of storeys in accordance with the preferred height range shown in the Concept Plan in Clause 5.0 of this Schedule.
- Any new building should not exceed the maximum height shown on the maps to this schedule. Heights are calculated at 4 metres for a ground floor level and 3 metres per upper floor level plus 1 metre for potential parapets.
- For the purpose of this schedule a maximum height of:
  - 3 storeys means 11 metres;
  - 4 storeys means 14 metres;
  - 5 storeys means 17 metres;
- 6 storeys means 20 metres;
- 8 storeys means 26 metres; and
- 12 storeys means 38 metres.

The height above is to be measured above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

- Provision of solar access by utilizing the northern aspects and through creating north-south openings within the sites.
- Achievement of architectural quality and a high degree of articulation/modulation.
- Provision for integrated car parking concealed from street views and where at ground level sleeved to ensure passive surveillance or active frontages are maintained adjacent to public streets and pedestrian connections.
- Rooftop plant and equipment and equipment associated with communal areas can exceed the specified height but such parts should not be invisible from the surrounding public realm and adjoining properties to the rear (including laneway separation).
- Rear setbacks that minimise unreasonable amenity impacts on adjoining residential land outside of the DPO11 area, in accordance with the following:
  - At ground level, the rear setback of a building from the boundary of an adjoining residential site is to be a minimum of 3 metres (including a laneway where applicable).
  - At first floor level, the rear setback of a building from the boundary of an adjoining residential site is to be a minimum of 5.5 metres (including a laneway where applicable).
  - Any other upper levels are to be set back from an adjoining residential site’s boundary so as to be contained within a 45 degree setback envelope as shown in Figures 1 and 2 below, unless identified otherwise on the Concept Plan map below. The angle is to be measured perpendicular to the adjoining residential site’s boundary from a height of 3 metres above natural ground level, taken from the middle point of the adjoining site’s width.

**Figures 1 and 2: Potential Rear Setback Conditions**
The stepping down of the built form to surrounding low scale residential uses on the south side of Oakover Road, and lots surrounding the Stokes/Penola and 18a Miller Street sub-precincts, having particular regard to the ‘Transitional Buffer’ areas shown in Clause 5.0 Concept Plan, and adjoining areas within a Heritage Overlay.

New development to consider the impact of bulk and mass on adjoining and adjacent areas.

Development with frontages to streets other than St Georges Road should have a building street wall of no more than 3 storeys. Higher storeys should be setback from the street wall and at an adequate distance to create a separation between the lower and upper parts of a building. On large sites, additional storeys should be located toward the centre of the site.

An indication of the likely staging and anticipated timing of development of the land.

**Permeability and Access:**
The development plan must show or make provision for:

- A network of pedestrian and cycling connections through the precinct, between new buildings and the adjoining streets generally in accordance with the indicative accessways shown on the Concept Plan at Clause 5.0. including (but not limited to):
  - An east-west pedestrian/cycle connection or access street between Austral Avenue and Newman Street.
  - An east-west pedestrian/cycle connection access street between Stott Street and Stokes Street.
  - The extension of Stott Street to Oakover Road as an access street.
  - An east-west pedestrian/cycle connection or access street between Stokes Street and St Georges Road.
  - A north-south connection from Showers Street to Oakover Road to align with Kenwood Court being an access street between Oakover and Showers Street and a pedestrian link from Showers Street to Ray Bramham Gardens.
  - An east-west connection between St Georges Road and Railway Place including an access street to connect into a north-south access street between Oakover Road and Showers Street.
  - Pedestrian connections to the Bell Street station and associated wayfinding recommendations.
- Strengthening the relationship between uses and adjacent pedestrian and bicycle networks through the use and design of buildings.

- The location of these links can be varied from those shown on the Concept Plan, if the relevant Objectives of this Schedule are achieved, to the satisfaction of the Responsible Authority. New pedestrian and cycle links should connect to existing links, where possible.

4.0 Display of Development Plan

- Before deciding to approve a development plan, the Responsible Authority must display the plan for public comment.

- Notice of the development plan must be given to the owners and occupiers of adjoining land.

- A development plan must be displayed or further information required within 28 days after the plan is received by the Responsible Authority. The plan must be displayed within 14 days of satisfactory further information being received.

- The development plan must be displayed for at least 14 days but no longer than 28 days.
SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12.

BEAVERS ROAD AND ARTHURTON ROAD AREA, NORTHCOTE

This schedule applies to:

- 198 and 200 Beavers Road, Northcote, being land on the northern side of Beavers Road zoned Residential Growth Zone (also referred to as Northern Precinct).
- Land to the south of Beavers Road, north of Arthurton Road and east of Merri Creek zoned Commercial 1 Zone (also referred to as Southern Precinct).

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been approved for the following:

- To use an existing building.
- Minor buildings and works to existing buildings provided the buildings or works do not prejudice the preparation and approval of the Development Plan and the long-term vision for the overlay area.
- Subdivision of land, provided that the subdivision is the result of a consolidation of all or parts of the site or the re-subdivision of the land and the number of lots is not increased.
- Removal or creation of easements or restrictions.
- Buildings or works associated with the remediation of the land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the Environment Protection Act 1970.

Before any planning permit is granted for any use or development of land to which the overlay applies, the responsible authority must consider the requirements for a development plan as outlined in subclause 3.0 of this schedule.

2.0 Conditions and requirements for permits

An application for use, subdivision or to construct or carry out minor works (before a development plan has been approved) must be accompanied by a report demonstrating that the proposal will not prejudice the long-term future use and development of the land in accordance with the development plan requirements specified in this schedule.

An application to construct or carry out works for the purposes of a non-sensitive use comprising subsurface excavation must be accompanied by an assessment of landfill gas risk associated with historical land filling activities, in accordance with the Best Practice Environmental Management – Siting, Design, Operation and Rehabilitation of Landfills (EPA Victoria, Publication 788.1, September 2010), to the satisfaction of the responsible authority, in conjunction with the Environmental Protection Authority.

3.0 Requirements for development plan

A development plan must meet the matters set out in subclause 3.0 as relevant.

Before approving a development plan, the responsible authority may advise PTV, Melbourne Water and the EPA of the proposed development plan. If the responsible authority does so advise any of these bodies of a proposed development plan, it must provide no less than 21 days for these bodies to provide any comments. The responsible authority should take any comments received within 21 days into account prior to approving a development plan.

The responsible authority may consider separate development plans within the precincts. Where a separate development plan is prepared, the plan should show how the plan relates to the other land within the overlay.
A Development Plan should provide for and address the following matters as appropriate to the satisfaction of the responsible authority:

**Use, Built Form and Design**

**General**

- An existing condition plan showing natural features, topography, orientation, views, existing uses and buildings, open space, existing vehicle and pedestrian/cycle connection, vegetation and landscaping in the nearby area.
- The relationship of the uses and the proposed built form to the existing or proposed use on adjoining land.
- Details of the proposed land use of each part of the land within the overlay.
- Extent of active frontages at ground level and street frontages.
- Design and siting of building that will maximise passive surveillance of public and communal areas and nearby creek environs.
- A mix of dwelling sizes to provide for a diversity of housing.
- Minimisation of potential conflict (e.g. noise, odours, hours of operation) between a proposed use and or development and existing uses and developments on adjoining and nearby land.
- Proposed streetscape treatments including landscaping to complement the existing surrounding streetscapes and to satisfaction of the responsible authority.

**Southern Precinct:**

- Provision of the transition from former industrial uses to mixed uses (preferably ‘green businesses’ businesses as per Darebin Green Business Attraction Strategy 2012), with residential use to complement predominant commercial uses.
- A mix of commercial spaces to provide for a diversity of uses. Land use in the southern precinct should promote mixed-use activities with minimal ground floor residential uses. Residential use should be located on upper level and provides for a range of dwelling types and sizes.
- Provision of dwellings on the upper levels. For any extent of dwelling use at ground floor level it must be demonstrated that there will be no adverse viability and economic impact on businesses and no potential adverse amenity impacts from residential use on commercial uses.
- The design and siting of any new development on any site not associated with existing industrial use should increase permeability through the site and surrounding area through the provision of a publicly accessible north-south route connecting Arthurton Road to Beavers Road which incorporates a two-way vehicle carriageway, pedestrian and cycle route and landscaping, as appropriate.

**Northern Precinct:**

- The design and siting of any new development on any site not associated with existing industrial use should increase permeability through the site and surrounding area through the provision of publicly accessible linkages between land north of Beavers Road and Beaconsfield Parade.
- Development in the northern precinct should seek to reinforce the residential purpose of the land with limited commercial use at the ground level, where appropriate.

**Beavers/Arthurton Roads Design Guidelines (BARD Guidelines)**

The development plan should include BARD Guidelines to provide detail regarding amongst other matters, the scale, form, setbacks, height and anticipated materials and colour of buildings and the landscaping of sites to the satisfaction of the responsible authority. Amongst other things, the development plan must consider the following:
General

- The built form should gradually rise and should not be more than 8 metres above existing ground level where within 5 metres of an abutting lot boundary of existing residential land that is outside of the DPO area.

- The design of the built form towards any access ways should reflect a fine grain pattern of nearby streets, floors should be distinguishable from each other through punctured facades (e.g. balconies, windows, façade articulation) and be located to provide a comfortable pedestrian scale.

- Details of design measures to maximise passive surveillance and activation of streetscapes and the public realm Provision of environmental sustainable design principles including maximising opportunities for northern orientation and natural lighting, reduction of impervious surfaces and stormwater reduction and management to the satisfaction of the responsible authority.

Southern Precinct:

- Creating a strong sense of place and vibrancy of commercial and mixed uses, accessibility and community safety.

- Active frontages at ground level adjoining Arthurton Road, Beavers Road, Goldsmith Grove and any new public carriageway, path or road. Residential frontages should be avoided.

- Development fronting Arthurton Road which:
  - Promotes multi-level development with high site coverage to maximise the commercial opportunity and employment generating potential.
  - Encourages zero or minimum frontage setbacks from Arthurton Road for new buildings. This may be varied where it can be demonstrated the setback provides for an enhanced public realm and net community benefit (e.g. public footpath widening or provision for a bus stop).
  - Provides for car parking to be adequately concealed from public views, e.g. through siting to the rear of buildings or within a basement.

Northern Precinct:

- Graduated building heights where the overall height should not exceed 13.5 metres above existing ground level and a maximum of four storeys.

- Limited commercial uses that may be considered under the applicable zone should be located to front Beavers Road.

Merri Creek Interface Treatment

- Recognition, enhancement and protection of the integrity of the Merri Creek landscape, environment and recreation functions after consideration of the *Merri Creek Development Guidelines 2004* and the *Merri Creek and Environs Strategy 2009-2014*, including:
  - Provision of development setbacks from the Merri Creek environs which respond appropriately to topographical conditions and provision of public thoroughfares in the public and private domain adjacent to the creek, as appropriate.
  - Design and siting of buildings to minimise visual and landscape impacts experienced from the Merri Creek environs and adjoining pedestrian paths, including the transition of building heights to reduce height and mass nearby the Merri Creek environs. The built form should gradually rise and should not be more than 8 metres (above existing ground level) or a maximum two storeys within 5 metres where a lot boundary abuts creek or park environs.
  - Buildings adjacent and nearby the Merri Creek corridor being constructed of materials and colours that reflect the natural setting of the creek environment and in finished in muted tones.
- Appropriate development design and interface treatment to respond to and complement the Merri Creek environs, after consideration of the Merri Creek Development Guidelines 2004 and other land uses nearby.

- Urban design treatment at the western section of the area to address and protect the gateway approach from the west across Merri Creek into Darebin City.

- Environment/landscaping – Appropriate landscaping buffer and treatments along Merri Creek to be provided. Consideration of the provision of appropriate linkages between new developments and areas of existing open space.

- Vegetation protection and enhancement (if relevant), and proposed landscaping.

- Minimisation of light spill into the Merri Creek valley.

An Integrated Transport and Traffic Management Plan that provides for, but not limited to the following:

- An existing condition assessment.

- Internal road layout, car parking location, the expected traffic generation and management, bicycle and pedestrian movement and their connections to the external movement network including public transport to meet any relevant road standards.

- Works necessary to existing and proposed intersections to accommodate traffic increases and safe pedestrian movement.

- Proposed traffic management and control works on site and on adjoining roads.

Reference Documents

Development Guidelines for the Merri Creek 2004

Merri Creek and Environs Strategy 2009-2014

Best Practice Environmental Management – Siting, Design, Operation and Rehabilitation of Landfills

Darebin Green Business Attraction Strategy
SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13.

PUBLIC HOUSING RENEWAL – WALKER STREET, NORTH COTE

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been approved to use or subdivide land, construct a building or construct or carry out works to the satisfaction of the Responsible Authority. Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the development plan requirements specified in this Schedule.

2.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits, as appropriate:

- Prior to the commencement of any permitted demolition, buildings or works, a detailed Construction Management Plan as relevant to that demolition or those buildings or works must be prepared to the satisfaction of the Responsible Authority. The Construction Management Plan:
  - must address (as relevant): demolition, bulk excavation, management of the construction site, hours of construction, noise, control of dust, public safety, construction vehicle road routes and traffic management (including location of construction vehicle access and worker parking), soiling and cleaning of roadways, discharge of any polluted water and stormwater, security fencing, disposal of site waste, location of cranes, location of site offices, storage of plant and equipment, redirection of any above or underground services and the protection of trees on or adjacent to the site to be retained in accordance with an Arboricultural Assessment Report prepared in accordance with this schedule.

- Prior to the commencement of any permitted demolition, buildings or works, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority that addresses a cohesive approach to waste and recycling collections for the entire development. The Waste Management Plan must:
  - Identify the location of bin storage areas that are sufficient to cater for waste that will be produced
  - Identify and specify the type of bins to be used, location areas, where they will be stored, collection points and times, responsibility for collection and return, and details of screening and ventilation
  - Specify how recycling materials will be managed and collected
  - Show access routes for waste collection vehicles that do not rely on reversing movements.
  - Explore a waste management system that diverts organic waste from landfill
  - Explore centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.

3.0

Requirements for development plan

A Development Plan must include the following requirements.

General

The Development Plan must be prepared to the satisfaction of the Responsible Authority in consultation with Darebin City Council.
The Development Plan must demonstrate the following:

- high quality integrated social and private housing that is socially, economically and environmentally sustainable that delivers high levels of residential amenity and liveability
- an increase in the number of social housing dwellings that achieves dwelling diversity across the site with a range of one, two and three or more bedroom dwellings, balancing issues of equity in the delivery of social and private housing that is well integrated and is visually indistinguishable.
- integration with the surrounding area by responding to existing or preferred neighbourhood character, enhancing the public realm and existing networks and delivering ‘good neighbour’ outcomes
- opportunities for legible access and address points for the site, buildings and spaces, including defining open spaces that foster social connections between residents and the wider community and that prioritise pedestrian and bicycle access within and external to the site
- landscaping and open space (including communal parks, playgrounds and other pocket spaces) that is resilient, well connected and enhances the sense of place, sustainability and liveability of the site and local area that meets the needs of both the social and private housing residents
- delivery of adaptable buildings and spaces that are accessible and practical for people of all abilities and respond to the future needs of residents.

**Land Use**

The Development Plan could show or make provision for:

- community facilities in appropriate locations at ground level where they will be accessible to all residents of the Estate and the surrounding community. The Development Plan must demonstrate that potential amenity impacts can be appropriately managed.

**Concept Plan**

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule to the satisfaction of the Responsible Authority.
Building Heights and Setbacks

The Development Plan must show:
In each Precinct, buildings that do not exceed the ‘maximum building heights’ on the Concept Plan.

Boundary setbacks as outlined in each relevant Interface Treatment or an increased setback in locations where necessary to protect existing trees to be retained or accommodate replacement canopy trees.

For **Interface Treatment A (Walker Street)**:
- 4.5 metre boundary setback up to 3 storeys and an additional 4.5 metre setback above 3 storeys.

For **Interface Treatment B (High Street)**:
- 4.5 metre boundary setback up to 3 storeys and an additional 4.5 metre setback.
For **Interface Treatment C (Merri Creek):**

- 5 metre boundary setback up to 4 storeys and an additional 6 metre setback above 4 storeys

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**Other Built Form Requirements**

The Development Plan should show:

- Built form fronting High Street designed to enhance the gateway approach into Darebin City from the south across Merri Creek.

- Built form to the corner of Walker Street and High Street graduated to avoid an abrupt change in building height with the lower rise built form fronting Walker Street.

- Transition in scale down to lower built forms fronting Walker Street and Merri Creek.

- Buildings that respond to, and complement the Merri Creek environs, having regard to the *Merri Creek Development Guidelines 2004* and the *Merri Creek and Environs Strategy 2009-2014*.

- Buildings that respond appropriately to topographical conditions.
- Buildings adjacent to Merri Creek to minimise visual and landscape impacts, including use of materials and colours that reflect the natural setting of the creek environment.

- Buildings that cast no additional overshadowing to the Merri Creek waterway and pedestrian path on the south side of the creek, between 11 am and 3 pm on September equinox.

- Buildings that allow for good levels of surveillance over the creek environment and avoids car parking structures facing the creek.

- Minimisation of light spill into the Merri Creek valley.

- Building envelopes that are adapted to:
  - Protect trees 1, 2, 25-28 and 29 as identified in the report prepared Galbraith & Associates dated 31 January 2017 in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites for root and canopy protection; and
  - Provide levels of direct sunlight to the public realm, surrounding footpaths on 22 September (equinox) that are commensurate with the proposed use of the spaces and ensure the amenity enjoyed by existing and future residents in not unreasonably compromised.

- Active frontages to High Street, Walker Street, Merri Creek and internal connections, through the following:
  - Avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages; and
  - Provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection.

- Where non-residential uses are proposed, provision of the following:
  - A minimum 4 metre floor to floor height;
  - An entrance and/or clear glazed window at the street frontages of each individual non-residential use; and
  - Weather protection at the street frontages of the non-residential uses.

- Visual bulk of buildings reduced through the placement of balconies and use of discontinuous forms, articulated facades and varied materials, particularly in the articulation zones shown on the Interface Treatment Diagrams.

- The location of car parking spaces within basement levels or suitably concealed within buildings or behind features with active frontages, or behind architectural features.

- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials.

- Appropriate mitigation measures to minimise the adverse impacts on existing sensitive uses in proximity of the site.

- Appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from High Street, the South Morang Railway Line and any non-residential uses on the site.

**Landscape and Open Space**

The Development Plan should show

- A new centrally located open space area, as shown on the Concept Plan. This area may form part of the communal open space required under Clause 55.07-2 or Clause 58.03-2 and/or public open space.

- Replacement of any high or medium value tree identified in the required Arboricultural Assessment Report and the Galbraith & Associates report dated 31 January 2017 on a two for one ratio.

- Additional street trees along the High Street and Walker Street frontages, subject to agreement from Darebin City Council.

- Recognition, enhancement and protection of the integrity of the Merri Creek landscape, environment and recreation functions which is generally consistent with the Merri Creek Development Guidelines 2004 and the Merri Creek and Environs Strategy 2009-2014, including:
  - Appropriate landscaping buffer and treatments along Merri Creek to be provided with a shared pathway which may be located wholly or in part on public land subject to agreement from Darebin City Council; and
  - Vegetation protection and enhancement, and proposed landscaping.

- New trees along the central open space connection.

- Reuse or adaptation of the existing public art located on the site within the open space area and/or internal connections.

**Circulation**

The Development Plan should show:

- A legible circulation system within the site.

- The primary vehicle access point for the land being from High Street Close.

- Pedestrian and bicycle connections through the site, which are prioritised over vehicle connections.

- Accessible car parking for residents, workers (if applicable) and visitors.

- Provision for secure bicycle parking for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable), and short term bicycle parking for visitors.

- Bicycle parking located at primary frontages and in proximity to pedestrian access ways.

- Bicycle parking provided at a minimum of:
  - one space per dwelling without a car space
  - one space per five dwellings with a car space
  - one space per 10 dwellings for visitors

- Bicycle servicing facilities that are located in highly visible and well-lit places.

- A shared path (pedestrian and cycle) adjacent to the Merri Creek frontage of the site that connects with High and Walker Streets and midway with the connection to Walker Street generally located as shown on the Development Plan. This path may be located wholly or in part on the subject land subject to agreement from Darebin City Council.

**Required documents, plans and reports**

The following documents, plans and reports must form part of any Development Plan (as applicable if the Development Plan is approved in stages), and must be prepared to the satisfaction of the Responsible Authority:

1. A **Planning Report** that demonstrates how the recommendations of the others plans required by this Schedule have been incorporated into the proposed development of the land.

2. A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:
The urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport;

Views to be protected and enhanced, including views of and from the site;

Key land use and development opportunities and constraints.

3. Preliminary Architectural Plans and Design Report that show the distribution and design of built form on the site to be generally in accordance with the Concept Plan included in this Schedule, including, but not limited to:

A design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme;

Demonstration of compliance with the requirements of Clauses 55 and 58 as relevant;

Demolition works;

Building envelopes including maximum building heights, building setbacks, and building depths;

The proposed built form edge and interface treatments to High Street, Walker Street and Merri Creek;

Conceptual elevations and cross-sections, indicating level changes across the site;

Shadow diagrams of both existing conditions and proposed shadows to be prepared at the September equinox at 9am, 12 noon and 3pm;

Images which show how the proposed built form will be viewed from the High Street corridor, Merri Creek and the adjoining residential area to the north;

The mix of dwelling types and sizes for each precinct including the mix of social and private housing;

The mix of land uses, including non-residential uses such as retail, commercial and community facilities and the location of these uses to each building or precinct;

Any retail and commercial uses limited to the High Street frontage;

Vehicle access, circulation and parking locations;

Waste collection zones to each building and primary points of access of waste vehicles;

Open space area/s surrounding buildings and the proposed use and access of all spaces;

The relationship between proposed buildings and works and surrounding land uses and development, including:
  - Existing residential properties on the opposite side of Walker Street;
  - Merri Creek;
  - High Street corridor.

4. An Integrated Transport and Traffic Management Plan that addresses, but is not limited to:

The range and scale of uses anticipated on the site;

The estimated population of residents, visitors and workers (if applicable);

Estimated vehicle trip generation levels resulting from use and development within the site;

Vehicle ingress and egress points and estimated levels of usage;

The likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic management treatments;
- The location of on-site car parking for residents, visitors and workers (if applicable). The location of car parking spaces should be situated at basement level or suitably concealed within buildings;
- Provision for loading and unloading of vehicles and means of access to them, including waste, delivery and furniture removalist vehicles;
- Provision of a safe and accessible pedestrian and bicycle network within the site and connecting to the external network;
- Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program;
- Provision for secure bicycle storage for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors;
- Identify any improvements or alterations to existing infrastructure, as a result of the development.

5. An Arboricultural Assessment Report that addresses, but is not limited to:
- Assessment of trees on or adjacent to the site, including retention value;
- Recommendations for the protection of trees to be retained to conform to Australian Standard AS 4970-2009 Protection of Trees on Development Sites to ensure long-term health, including designation of tree protection zones (for roots and canopy) and structural root zones;
- Recommendations for trees to replace the removal of any trees of moderate or high retention value required to be removed where replacement trees provide equivalent amenity value to the residents and the public realm.

6. A Tree Management Plan that addresses, but is not limited to:
- Identifying trees to be retained;
- Detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protections fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.

7. A Landscape and Open Space Plan that addresses, but is not limited to:
- Existing vegetation to be retained as assessed in an Arboricultural Assessment Report prepared in accordance with this Schedule;
- New canopy trees and landscaping within the public realm and communal areas / open space areas;
- A planting theme that:
  - Complements existing trees to be retained on the site and the surrounding neighbourhood character and the High Street corridor;
  - Protects and enhances the Merri Creek landscape;
  - Demonstrates water sensitive urban design outcomes.
- Delineation of communal and private open spaces and the treatment of these interfaces;
- Hard and soft landscaping treatments of the public realm and communal open spaces;
- Interface treatments between High Street, Walker Street and Merri Creek, including boundary fences;
- Integration of sustainability and water sensitive urban design measures;
- Maintenance responsibilities.

8. A Dwelling Diversity report that must:
• Demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site;

• Include the number and extent of one, two and three bedroom plus dwellings for social and private housing;

• Provide for additional initiatives that actively encourage affordable housing and/or other alternate housing delivery models.

9. An Ecologically Sustainable Development Plan that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives for the site. The Plan is to address the areas of energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management, innovation and urban ecology. All buildings must be designed to achieve a minimum 5 star rating against the Green Building Council of Australia’s Green Star rating system for design (or achieve and equivalent standard using an equivalent rating tool).

10. A Services and Infrastructure Plan that addresses, but is not limited to:

• An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development;

• A description of the proposed provision of all appropriate utility services to development parcels;

• A stormwater drainage master plan, including measures to ensure appropriate protection of Merri Creek and the location of any on-site drainage retention facilities.

11. An Environmental Site Assessment that addresses, but is not limited to:

• Site history and current site uses, including a photographic record of the buildings to be demolished;

• The extent of any filling that has occurred on the site, including area, depth and fill material;

• The presence and depth, of groundwater at the site;

• The contamination status of soil on the site;

• If intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment;

• Advice on the need for a Site Remediation Strategy;

• An assessment of risks for the proposed redevelopment of the site and recommendation for any required remediation;

• An assessment of risks for the proposed redevelopment of the site and recommendation for any required remediation.

12. Where the development will be undertaken in stages, a Staging Plan that addresses, but is not limited to:

• The delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site;

• Site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation;

• Timeframes for the commencement and completion of each stage and any management of overlap between stages.

13. An Acoustic Report that addresses, but is not limited to:

• Whether the proposed use and development of the Estate is likely to be affected by noise from nearby uses or abutting roads;
- The likely effect of non-residential uses on the site on the amenity of nearby residential uses and methods to address the issues identified.

14. A **Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on site.

15. A **Community Engagement Report** which outlines the consultation which has occurred to inform the preparation of the Development Plan, including but not limited to the following stakeholders:

- Darebin City Council
- Office of the Victorian Government Architect
- Transport for Victoria (including Public Transport Victoria and VicRoads)
- Estate Residents
- Community Groups
- Neighbouring owners and occupiers
**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 flood plain health.

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**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.

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**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

A permit is not required for the following buildings and works (provided that there is no change in natural ground levels):

- Footpath, bicycle path, or driveway.
- Carport, pergola, verandah, decking or similar structure without any walls and with unenclosed foundations.
- Any external alterations to an existing building where the original building footprint remains the same.
- Domestic shed or animal enclosure no greater than 20m² in area and constructed to at least 300mm above the flood level.
- Tennis court, associated lighting and fencing designed to minimise obstruction of flows.
- Radio mast and satellite dish.
- Telecommunications tower and associated structures (if the structures are at least 90% permeable for the first 300mm above the applicable flood level).
- An in-ground swimming pool with open style security fencing and where the perimeter edging of the pool is constructed at natural ground levels.
- A fence that is at least 90% permeable for the first 300mm above the flood level.
- Outdoor advertising sign on a structure that is at least 90% permeable for the first 300mm above natural ground level.
- A dwelling extension no greater than 20m² where the relevant floodplain management authority has agreed in writing that the flows will not be obstructed by the extension.
- An upper storey extension to an existing building including changes to the building footprint on the upper storey except for changes to the existing building footprint at natural ground level.
- A picnic shelter, barbeque or minor works associated with a park.
- Any buildings, works, fences or road-works where the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.

2.0 Application requirements

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site.
- The layout of existing and proposed buildings and works.
- Relevant natural ground levels, floor levels and flood levels to Australian Height Datum.

3.0 Referral of Applications

An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the relevant floodplain management authority if the application:

- Is accompanied by the relevant floodplain management authority's written approval. The written approval must:
  - Be granted not more than three months prior to lodging with the responsible authority.
- Quote the reference number, revision number and date of the approved plans.
- State applicable flood level and any required floor levels.

  • Is in accordance with any adopted local floodplain development plan.
SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality 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).

Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding 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.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling 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 designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an upper storey extension to an existing building.

- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.

- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

- To a replacement fence in the same location and of the same type and materials as the existing fence.

- To a pergola or an open deck area with unenclosed foundations.

- To a carport constructed over an existing carspace.

- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.

- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.

- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.

- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.

- To radio masts, light poles or signs on posts or attached to buildings.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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.</td>
<td>Clause 59.08</td>
</tr>
</tbody>
</table>

**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>Any of the following classes of subdivision:</td>
<td>Clause 59.08</td>
</tr>
<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></td>
</tr>
<tr>
<td>• Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td></td>
<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>
</tr>
<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>
<tr>
<td>• Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td></td>
<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>
</tr>
<tr>
<td></td>
<td>• The construction or carrying out of the approved building or works on the land has started lawfully.</td>
</tr>
<tr>
<td></td>
<td>• The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

### Application requirements

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
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 to 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.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0 Permit requirement

A permit is not required for the following buildings and works (provided that there is no change in natural ground levels):

- Domestic shed or animal enclosure no greater than 20m² in area and constructed to at least 150mm above the flood level.
- Telecommunications tower and associated structures (if the structures are at least 90% permeable for the first 300mm above the applicable flood level).
- A fence that is at least 90% permeable for the first 300mm above the natural ground level.
- Outdoor advertising sign on a structure that is at least 90% permeable for the first 300mm above natural ground level.
- A picnic shelter, barbeque or minor works associated with a park.
- Any buildings, works, fences or road-works where the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.

2.0 Application requirements

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site.
- The layout of existing and proposed buildings and works.
- Relevant natural ground levels, floor levels and flood levels to Australian Height Datum.

3.0 Referral of Applications

An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the relevant floodplain management authority if the application:

- Is accompanied by the relevant floodplain management authority's written approval. The written approval must:
  - Be granted not more than three months prior to lodging with the responsible authority.
  - Quote the reference number, revision number and date of the approved plans.
  - State applicable flood level and any required floor levels.
- Is in accordance with any adopted local floodplain development plan.
OTHER OVERLAYS
PUBLIC ACQUISITION OVERLAY

Shown on the planning scheme map as PAO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

Permit required

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling 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.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

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 under Section 55 of the Act to the acquiring authority for the land.

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 of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material of a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted
Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose
Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority
An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
### SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

<table>
<thead>
<tr>
<th>PS map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>VicRoads</td>
<td>Road construction or widenings</td>
</tr>
<tr>
<td>PAO3</td>
<td>City of Darebin</td>
<td>Creation of Public Open Space</td>
</tr>
<tr>
<td>PAO4</td>
<td>City of Darebin</td>
<td>Footpath widening</td>
</tr>
</tbody>
</table>
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.
ROAD CLOSURE OVERLAY

Shown on the planning scheme map as RXO.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify a road that is closed by an amendment to this planning scheme.

Road closure

A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- That the road is closed.
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.

CITY OF DAREBIN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

The development contributions plan applies to all land contained within the municipality as shown on Planning Scheme Maps 1 to 18 DCPO1

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost ($)</th>
<th>Time of provision</th>
<th>Actual cost contribution including discount + GST attributable to development ($)</th>
<th>Proportion of cost attributable to development (including existing development) %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>37,114,024</td>
<td>Over 10 years as shown in the Development Contributions Plan</td>
<td>2,123,337</td>
<td>5.7%</td>
</tr>
<tr>
<td>Traffic &amp; Road Safety</td>
<td>2,993,199</td>
<td>Over 10 years as shown in the Development Contributions Plan</td>
<td>79,481</td>
<td>2.7%</td>
</tr>
<tr>
<td>Drains</td>
<td>5,118,854</td>
<td>Over 10 years as shown in the Development Contributions Plan</td>
<td>304,742</td>
<td>6.0%</td>
</tr>
<tr>
<td>Open Space</td>
<td>7,992,332</td>
<td>Over 10 years as shown in the Development Contributions Plan</td>
<td>100,532</td>
<td>1.3%</td>
</tr>
<tr>
<td>Buildings</td>
<td>25,334,172</td>
<td>Over 16 years as shown in the Development Contributions Plan</td>
<td>7,148,136</td>
<td>28.2%</td>
</tr>
<tr>
<td>Feasibility Studies</td>
<td>79,623</td>
<td>Over 10 years as shown in the Development Contributions Plan</td>
<td>5,957</td>
<td>7.5%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$78,632,204</strong></td>
<td></td>
<td><strong>$9,762,185</strong></td>
<td><strong>12.4%</strong></td>
</tr>
</tbody>
</table>

Total Cost ($) is the actual cost of completed projects attributable to the DCP area.

Total Cost of Buildings includes the cost of the proposed Darebin Outdoor Multi-Use Sports Stadium Project.

Actual cost contribution refers to collections attributed to completed projects.

Actual cost contribution for Buildings includes the excess/unspent funds collected under the DCP.

3.0

Equivalence Ratios

As the Development Contributions Plan relates to all development types, it is necessary to express non-residential development in terms of equivalent dwellings.

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Equivalent to One Dwelling (Charge Unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Roads and Ancillary Infrastructure</td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td>19m² floor area</td>
</tr>
<tr>
<td>Office/Service Industry</td>
<td>121m² floor area</td>
</tr>
</tbody>
</table>

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### Development Type

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Equivalent to One Dwelling (Charge Unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
<td>67m² floor area</td>
</tr>
<tr>
<td>Primary School</td>
<td>3.42 students</td>
</tr>
<tr>
<td>Secondary School</td>
<td>3.48 students</td>
</tr>
<tr>
<td>Tertiary Institution</td>
<td>5.70 students</td>
</tr>
<tr>
<td>Hospital</td>
<td>0.67 beds</td>
</tr>
</tbody>
</table>

#### For Drainage Infrastructure

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Site Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td>300m²</td>
</tr>
<tr>
<td>Office/Service Industry</td>
<td>360m²</td>
</tr>
<tr>
<td>Industrial</td>
<td>540m²</td>
</tr>
<tr>
<td>Primary School</td>
<td>540m²</td>
</tr>
<tr>
<td>Secondary School</td>
<td>540m²</td>
</tr>
<tr>
<td>Tertiary Institution</td>
<td>540m²</td>
</tr>
<tr>
<td>Hospital</td>
<td>540m²</td>
</tr>
</tbody>
</table>

#### For Community Infrastructure

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td></td>
</tr>
<tr>
<td>Office/Service Industry</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
</tr>
<tr>
<td>Primary School</td>
<td></td>
</tr>
<tr>
<td>Secondary School</td>
<td></td>
</tr>
<tr>
<td>Tertiary Institution</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
</tbody>
</table>

### Summary of contributions

*Note:* Residential developments are subject to all levies below.

*Note:* Non-residential developments are exempt from charges relating to Community and Parkland Infrastructure.

### LEVIES PER CHARGE UNIT PAYABLE BY THE DEVELOPMENT

<table>
<thead>
<tr>
<th>Charge Area (CCD)</th>
<th>Community Infrastructure *Community</th>
<th>Development Infrastructure *Parkland</th>
<th>Drainage</th>
<th>Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>2330101</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$0.00</td>
<td>$1.36</td>
</tr>
<tr>
<td>Charge Area (CCD)</td>
<td>Community Infrastructure</td>
<td>Development Infrastructure</td>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>---------------------------</td>
<td>-----------------------------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Community</td>
<td>*Parkland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2330102</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$998.73</td>
<td></td>
</tr>
<tr>
<td>2330103</td>
<td>$126.49</td>
<td>$29.28</td>
<td>$389.99</td>
<td></td>
</tr>
<tr>
<td>2330104</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$1,888.47</td>
<td></td>
</tr>
<tr>
<td>2330105</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$444.60</td>
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</tr>
<tr>
<td>2330106</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$328.04</td>
<td></td>
</tr>
<tr>
<td>2330107</td>
<td>$126.49</td>
<td>$29.28</td>
<td>$1,940.54</td>
<td></td>
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<tr>
<td>2330108</td>
<td>$126.49</td>
<td>$0.45</td>
<td>$584.41</td>
<td></td>
</tr>
<tr>
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*Non-residential developments are exempt from Community and Parkland Infrastructure charges.*

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<th>Charge Area (CCD)</th>
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<th>Drainage</th>
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*Non-residential developments are exempt from Community and Parkland Infrastructure charges.
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<th>Development Infrastructure</th>
<th>Drainage</th>
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*Non-residential developments are exempt from Community and Parkland Infrastructure charges.*

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<th>Charge Area (CCD)</th>
<th>Community Infrastructure</th>
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<th>Drainage</th>
<th>Road</th>
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DAREBIN PLANNING SCHEME
### Land or development excluded from development contributions plan

Exemptions from payment of development contributions apply in the following circumstances:

- results in a development that is less than the charge unit specified in Schedule 1 to the Development Contributions Plan Overlay.
- Non-residential development is exempt from Community and Parkland infrastructure charges.
- The carrying out of residential building works associated with an existing dwelling, including the replacement of a dwelling.

**Notes:** This schedule sets out a summary of the costs and contributions prescribed in the City of Darebin Development Contributions Plan, June 2004 (Revised 2015). Refer to the incorporated development contributions plan for full details. As specified in Part 3.1 of the City of Darebin Development Contributions Plan, June 2004 (Revised 2015), no contributions are to be collected after 30 June 2014. Refer to the incorporated development contributions plan for full details.
Reference Documents

- City of Darebin Development Contributions Plan: Audit and Management of Unspent Funds, 2015, SGS Economics and Planning
PARKING OVERLAY

Shown on the planning scheme map as PO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To facilitate an appropriate provision of car parking spaces in an area.
To identify areas and uses where local car parking rates apply.
To identify areas where financial contributions are to be made for the provision of shared car parking.

Operation

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

Permit requirement

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

Number of car parking spaces required

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:
- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

### Financial contribution requirement

45.09-6  
19/04/2013  
VC95

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

### Requirements for a car parking plan

45.09-7  
25/05/2017  
VC133

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

### Design standards for car parking

45.09-8  
25/05/2017  
VC133

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

### Decision guidelines for car parking plans

45.09-9  
25/05/2017  
VC133

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

Shown on the planning scheme map as PO1.

PUBLIC HOUSING RENEWAL - WALKER STREET, NORTHCOTE

1.0 Parking objectives to be achieved

To identify appropriate car parking rates for residential uses within the site.

2.0 Permit requirement

A permit is required to reduce the minimum number of car parking spaces as specified in this schedule.

A permit is not required under Clause 52.06-3.

3.0 Number of car parking spaces required

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the Rate specified for the use by the accompanying Measure.

Table: Car parking spaces

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<tr>
<th>Use</th>
<th>Rate</th>
<th>Measure</th>
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<tbody>
<tr>
<td>Dwelling (social housing)</td>
<td>0.6 spaces</td>
<td>to each dwelling for residents</td>
</tr>
<tr>
<td>Dwelling (private housing)</td>
<td>0.7 spaces</td>
<td>to each 1 bedroom dwelling for residents</td>
</tr>
<tr>
<td></td>
<td>1 space</td>
<td>to each 2 bedroom dwelling for residents</td>
</tr>
<tr>
<td></td>
<td>1.6 spaces</td>
<td>to each 3 bedroom dwelling for residents</td>
</tr>
<tr>
<td>Dwelling (all)</td>
<td>0.1 spaces</td>
<td>to each dwelling for visitors</td>
</tr>
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</table>

Definition

For the purposes of this schedule ‘social housing’ has the same meaning as in Section 4(1) of the Housing Act 1983.

4.0 Application requirements and decision guidelines for permit applications

None specified.

5.0 Financial contribution requirement

None specified.

6.0 Requirements for a car parking plan

None specified.

7.0 Design standards for car parking

None specified.

8.0 Decision guidelines for car parking plans

None specified.
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.
## Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of Incorporated Document</th>
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<tr>
<td>The land to the north west of the intersection of Ring Road and Research Drive, Bundoora as shown at Appendix 1 to the 'Biosciences Research Centre Incorporated Document, June 2008', which forms part of Lot 1 on Plan of Subdivision 443004V. Together with the land to be used for utility connection.</td>
<td>Biosciences Research Centre Incorporated Document, June 2008</td>
</tr>
<tr>
<td>The Chandler Highway Upgrade land as shown on the project area map and identified in the Incorporated Document.</td>
<td>Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)</td>
</tr>
<tr>
<td>The existing rail corridor for the South Morang rail line, and additional land shown on the project area maps for the High Street, Reservoir Level Crossing Removal Project Incorporated Document, March 2018</td>
<td>High Street, Reservoir Level Crossing Removal Project Incorporated Document, March 2018</td>
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</table>
PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT
COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

Purpose
To facilitate the rectification of combustible cladding on buildings.

Permit exemption
Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building in accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993.

Exemption from notice and review
An application to amend a permit to allow the rectification of combustible cladding on a building in accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993 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.
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose
To enable the removal and variation of an easement or restriction 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

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<th>Requirement</th>
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<td>Single dwelling covenant</td>
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<td>Lots 1, 2 and 3 on LP 94036 Lot 1900 on LP 8482</td>
<td>Covenant</td>
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<td>Lot 14 on PS 20219</td>
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#### Under Section 24A of the Subdivision Act 1988

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<td>Part Park Reserve on LP8538 being all of the land contained in Certificate of Title Vol. 8561 Fol. 821</td>
<td>City of Darebin</td>
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#### 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></td>
<td></td>
</tr>
</tbody>
</table>
LEVEL CROSSING REMOVAL PROJECT

Purpose
To facilitate the Level Crossing Removal Project.

Application
This clause applies to the use and development of land (other than the subdivision of land) for projects undertaken by the Level Crossing Removal Project and declared under section 10(1)(b) of the Major Transport Projects Facilitation Act 2009.

This clause does not apply to a project for which a document has been incorporated into this planning scheme expressly for that project.

Exemption from planning scheme requirements
Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this Clause 52.03 applies to if the requirements of Clause 52.03 are met.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

Use and development requirements
The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Road Zone, Category 1, or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, must be undertaken to the satisfaction of the Roads Corporation.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

Consultation requirement
Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.

- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

Project boundary requirement
Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.
Other pre-commencement requirements

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
  - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
  - A report that addresses the impact of that development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of that development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building’s environs and setting.

- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.

- Any other information the Minister for Planning considers necessary to assist the Minister’s assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

Native vegetation requirements

The following requirements may be satisfied for separate components or stages of a project. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

Prior to the removal, destruction or lopping of native vegetation to enable a preparatory use or development, information about that native vegetation must be submitted to the Secretary to the Department of Environment, Land, Water and Planning. The information must include a description
of, and maps showing, the native vegetation to be removed, destroyed or lopped in accordance
with application requirement 1 in Table 4 of the *Guidelines for the removal, destruction or lopping

Prior to the removal, destruction or lopping of native vegetation (other than to enable a preparatory
use or development):

- Information about that native vegetation in accordance with application requirements 1, 5 and
9 in Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation*
(Department of Environment, Land, Water and Planning, 2017) must be provided to the
satisfaction of the Secretary to the Department Environment, Land, Water and Planning. The
information provided to the Secretary must include information about any native vegetation
that has been or is to be removed, destroyed or lopped to enable a preparatory use or
development.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation
must be offset in accordance with the *Guidelines for the removal, destruction or lopping of
native vegetation* (Department of Environment, Land, Water and Planning, 2017). The
biodiversity impacts from the removal, destruction or lopping of native vegetation to enable a
preparatory use or development must be included in the total biodiversity impacts when
determining the offset.

- Evidence that the required offset has been secured must be provided to the satisfaction of the
Secretary to the Department Environment, Land, Water and Planning.

The Secretary to the Department Environment, Land, Water and Planning may vary the timing of
the above offset requirement if the Secretary considers there are exceptional circumstances to
warrant the variation.

The secured offset for the project may be reconciled at the completion of a project in accordance
with the *Assessor’s handbook – Applications to remove, destroy or lop native vegetation*
(Department of Environment, Land, Water and Planning, October 2018).

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**Preparatory use and development**

For the purposes of Clause 52.03, a preparatory use or development is a use or development
required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme
were it not for the exemption in Clause 52.03-2.

- Works associated with investigating, testing and surveying land.

- Creation and use of construction access points, accessways and working platforms.

- Site establishment works including construction of temporary site fencing and hoarding, site
offices, and hardstand and laydown areas.

- Construction and use of temporary car parking.

- Construction or installation of environment and traffic controls.

- Construction, protection, modification, removal or relocation of utility services, rail signalling,
and overhead and associated infrastructure.

- Salvage and relocation of cultural heritage material and other management actions required to
be undertaken in compliance with:
  - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or
otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise
in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.

- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.

- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.
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.
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>Clause 59.09</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>

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Referral of applications
An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004 must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

Expiry of permits
A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

Existing signs
A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A 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.

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

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a 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.

52.05-11

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>
### Section 1 - Permit not required

<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. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</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>
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></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</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></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective 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></td>
<td></td>
<td></td>
<td>To each 100 sq m of leasable floor area</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></td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of floor area</td>
</tr>
<tr>
<td>Dwelling</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 5 dwellings for developments of 5 or more dwellings</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></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</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></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</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></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</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>Motel</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>Motor repairs</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>Office other than listed in this table</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Place of assembly other than listed in this table</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Postal agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary school</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>Research and development centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td>Residential village</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>Retirement village</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>Restaurant</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>Restricted retail premises</td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Rooming house</td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td>Saleyard</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Secondary school</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>Shop 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>Squash court – other than in conjunction with a dwelling</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.

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.

**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>45°</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 | Accessway width | Car space width | Car space length
--- | --- | --- | ---
60° | 4.9 m | 2.6 m | 4.9 m
90° | 6.4 m | 2.6 m | 4.9 m
 | 5.8 m | 2.8 m | 4.9 m
 | 5.2 m | 3.0 m | 4.9 m
 | 4.8 m | 3.2 m | 4.9 m

Note 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></td>
<td></td>
</tr>
<tr>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
<td></td>
</tr>
<tr>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
<td></td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
<td></td>
</tr>
<tr>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
<td></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.
BUSHFIRE RECOVERY

Purpose

To facilitate and support recovery from a bushfire.
To facilitate the construction and use of temporary accommodation following a bushfire.
To enable businesses and services to continue operating following a bushfire.

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following use or development if requirements of Clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by a bushfire.

- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in Clause 45.03-1.
- The use or development of land to which Clause 52.13 or Clause 52.14 applies.
- The use or development of land identified in a schedule to Clause 51.01.
- The use or development of land in the Specific Controls Overlay.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

Information to responsible authority

Before the commencement of a use or the construction of a building under Clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

Temporary accommodation requirements

The following requirements do not apply to the use or development of land associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.
Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to 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* or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

**Other use and development requirements**

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by a bushfire must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by a bushfire, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by a bushfire.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

**Vegetation removal requirement**

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:
To enable the removal of a building, equipment or other material that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed; or

To enable the repair or reconstruction of a fence that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or

- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or

- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

**Overlay requirements**

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be undertaken to the satisfaction of the responsible authority.

Development of land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.
To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.
To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

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>Extractive industry</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mining</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Petroleum production</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
</tbody>
</table>

Application requirements for mining
An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mining

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Roads Corporation, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.
To ensure that excavated areas can be appropriately rehabilitated.
To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

Application
This clause applies to an application to use or develop land:
- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

Application requirements
An application to use and develop land for extractive industry must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply if the proposed extractive industry is exempt from:
- The requirement to obtain a work plan under section 77G of the Mineral Resources (Sustainable Development) Act 1990; or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under section 5AA of that Act.

Referral of applications
An application to use or develop land for extractive industry must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Roads Corporation, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.

Decision guidelines
Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.

- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.

- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.

- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.

- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.

- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.

- The impact of the proposed extractive industry on surface drainage and surface water quality.

- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the Mineral Resources (Sustainable Development) Act 1990.

52.09-5

Permit conditions for extractive industry

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.

- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.

- Conditions that are consistent with the requirements specified in Clause 52.09-6.

52.09-6

Requirements for extractive industry

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.

- Shrubs and trees must be planted and maintained to screen activity on the land.

- Parking areas must be provided for employees’ cars and all vehicles used on the land.

52.09-7

Notice of an application

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990:

- 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*.

This requirement does not apply to an application to extend a building or works.
BUSHFIRE RECONSTRUCTION

Purpose

To facilitate the reconstruction of buildings damaged or destroyed by a bushfire.
To facilitate the re-establishment of businesses and services following a bushfire.
To facilitate the continued use of land for dwellings after a bushfire.

Use exemptions - dwelling

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed by a bushfire after 1 January 2019.
- The use must commence within 5 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under Clause 52.07.
- 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.

Exemption from notice and review

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) for or in association with a use that was lawfully carried out on the land immediately before a building on the land was damaged or destroyed by a bushfire 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 building was damaged or destroyed by a bushfire after 1 January 2019.
- The application was lodged within 5 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
  - A dwelling on the land must have been damaged or destroyed by a bushfire.
  - The application must only be for the number of dwellings that were damaged or destroyed.
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.
Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS
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.

**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.

**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.

**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).

**Cessation of use**

A use must not continue after 30 June 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 30 June 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>
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<tbody>
<tr>
<td><strong>Emergency services</strong></td>
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<td><strong>Agriculture</strong></td>
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<td><strong>Public land management</strong></td>
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<td><strong>General</strong></td>
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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

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
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<tbody>
<tr>
<td>Conservation work</td>
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<tr>
<td>Crown land</td>
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<tr>
<td>Emergency works</td>
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<tr>
<td>Extractive industry</td>
</tr>
</tbody>
</table>
| Fire protection | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:
The requirement to obtain a permit does not apply to:

- fire fighting;
- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 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.*

<p>| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| Land management or directions notice | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| Land use conditions | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| Mineral exploration and mining | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990: |
|  | - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or |
|  | - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. |
|  | <em>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.</em> |
| Pest animal burrows | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988. |
| Planted vegetation | Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. 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. |</p>
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Railways</strong></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>
<tr>
<td><strong>Regrowth</strong></td>
<td>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:</td>
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<td>- bracken (<em>Pteridium esculentum</em>); or</td>
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<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>
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<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>
<tr>
<td><strong>Road safety</strong></td>
<td>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).</td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
<td>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:</td>
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<tr>
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<td>- 1 hectare of native vegetation which does not include a tree.</td>
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<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>
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<tr>
<td></td>
<td>This exemption does not apply to costeaming and bulk sampling activities.</td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
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<td>- a natural resource agreement under Part 6 of the Traditional Owner Settlement Act 2010; or</td>
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<td></td>
<td>- 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).</td>
</tr>
<tr>
<td><strong>Utility installations</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
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<td>- to maintain the safe and efficient function of a Minor utility installation; or</td>
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<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 Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 52.16

### Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
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<tbody>
<tr>
<td>None specified</td>
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</tbody>
</table>
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.

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.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

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.”

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.

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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
<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></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<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>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<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></td>
<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>
<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>
<td>Native 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 associated with 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>
### 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>
<tr>
<td><strong>Existing buildings</strong></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of a fence; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
<tr>
<td><strong>Existing buildings and works in the</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 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.</td>
</tr>
<tr>
<td><strong>Farming Zone and Rural Activity Zone</strong></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>- the use or maintenance of a Dwelling; or</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of a fence; or</td>
</tr>
<tr>
<td></td>
<td>- native vegetation located more than 10 metres measured from the outermost point of the building or works.</td>
</tr>
<tr>
<td><strong>Extractive industry</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act.</td>
</tr>
<tr>
<td><strong>Fences</strong></td>
<td>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:</td>
</tr>
<tr>
<td></td>
<td>- the operation or maintenance of an existing fence; or</td>
</tr>
<tr>
<td></td>
<td>- the construction of a boundary fence between properties in different ownership.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>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:</td>
</tr>
<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 firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- 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);</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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| Grasses | Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: |
| | - located within a lawn, garden or other landscaped area; or |
| | - maintained at a height of at least 10 centimetres above ground level. |
| Grazing | Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: |
| | - freehold land; or |
| | - Crown land in accordance with a license, permit or lease granted under applicable legislation. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| Harvesting for timber production – naturally established native vegetation | Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014* and are: |
| | - undertaken on public land under a licence or permit issued under section 52 of the *Forests Act 1958*; or |
| | - authorised in accordance with Part 5 of the *Sustainable Forests (Timber) Act 2004*. |
| Land management or directions notice | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| Land use conditions | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| Lopping and pruning for maintenance | Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. |

This exemption does not apply to:
The requirement to obtain a permit does not apply to:

- the pruning or lopping of the trunk of a native tree; or
- native vegetation on a roadside or railway reservation.

| Mineral exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:

  - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
  - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.  

  Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |

| New buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

  The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

  - 1 hectare of native vegetation which does not include a tree.
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

  This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising. |

| New dwellings in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

  The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

  - 300 square metres of native vegetation which does not include a tree.
  - 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

  This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage. |

| 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. |
The requirement to obtain a permit does not apply to:

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:
- contiguous land in one ownership that has an area of less than 10 hectares;
- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

<table>
<thead>
<tr>
<th>Pest animal burrows</th>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>in accordance with written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988; or</td>
</tr>
<tr>
<td></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>1 hectare of native vegetation which does not include a tree; or</td>
</tr>
<tr>
<td></td>
<td>15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>

| 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). |

<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>less than 10 years old; or</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; or</td>
</tr>
<tr>
<td></td>
<td>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:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- shown on that plan as being ‘certified regrowth’; and
- on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

### Road safety
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

### Site area
Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares.

This exemption does not apply to native vegetation on a roadside or rail reservation.

### Stock movements on roads
Native vegetation that is to be removed, or destroyed by stock being moved along a road.

This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.

### Stone exploration
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to costeanning and bulk sampling activities.

### Surveying
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.

### Traditional owners
Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

- 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:
The requirement to obtain a permit does not apply to:

- to maintain the safe and efficient function a Minor utility installation; or
- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

<table>
<thead>
<tr>
<th>Vehicle access from public roads</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>In this exemption, roadside and public road have the same meanings as in section 3 of the <em>Road Management Act 2004</em>.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> Under the <em>Road Management Act 2004</em> 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weeds</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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:</td>
</tr>
<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 a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>
### 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

<table>
<thead>
<tr>
<th>Name of code of practice</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
STATE OF EMERGENCY EXEMPTION

Purpose

To facilitate the delivery of food and other essential goods during and following a state of emergency declared in relation to Novel Coronavirus 2019 (2019-nCoV).

Exemption

The following exemption applies when a state of emergency declaration under the Public Health and Wellbeing Act 2008 in relation to Novel Coronavirus 2019 (2019-nCoV) is in force and for three months after.

Any requirement of a planning permit, including any condition, or any provision of this planning scheme, that limits, or has the effect of limiting, the hours or days during which goods may be dispatched, delivered, loaded or unloaded does not apply to the dispatch, delivery, loading or unloading of:

- Food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.
- Any goods to a supermarket, market, hospital, medical centre, pharmacy, residential aged care facility or retirement village.
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.
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.
**ROOMING HOUSE**

**Purpose**

To facilitate the establishment of domestic-scale rooming houses.

**Application**

This clause applies to use and development of land for a rooming house.

**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, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

**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, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.
CREMATÓRIO

Propósito

Para assegurar que os crematórios cemitérios se desenvolvam e se utilizem de forma apropriada.

Permissão necessária

Uma permissão é necessária para desenvolver e usar um crematório em terra que é usada para propósitos cemitérios. Isso não se aplica ao terreno na Crematório Springvale.

Diretrizes de decisão

Antes de decidir sobre uma aplicação para usar e desenvolver terra para um crematório, além das diretrizes de decisão na Cláusula 65, a autoridade responsável deve considerar:

- A provisão de paisagismo e plantas de cerca.
- A localização e design dos edifícios a serem construídos.
- O efeito sobre o movimento de tráfego gerado pela utilização.
- A provisão de estacionamento.

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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.
### Permit not required

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land within a Commercial Zone</td>
<td>On-Premises</td>
</tr>
<tr>
<td></td>
<td>General</td>
</tr>
<tr>
<td></td>
<td>Restaurant and Café</td>
</tr>
<tr>
<td>All land within a Priority Development Zone</td>
<td>On-Premises</td>
</tr>
<tr>
<td></td>
<td>General</td>
</tr>
<tr>
<td></td>
<td>Restaurant and Café</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></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.
Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

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 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>Northland Shopping Centre</td>
<td>Land bounded by Murray Road, Hannah Street, Wood Street and the Darebin Creek, Preston</td>
</tr>
<tr>
<td>Northcote Plaza Shopping Centre</td>
<td>Land on the north side of Separation Street, Northcote, immediately east of the Northcote Regional Park, south of Dennis Street and east of Hunter Street, Northcote</td>
</tr>
<tr>
<td>Northcote Central Shopping Centre</td>
<td>Land on the north east corner of Separation St and High St Northcote</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 to Clause 52.32-2

<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>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>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td></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.

52.32-4

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 (Cwlth), 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 (Cwlth)
- 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.
- An environmental audit report of the pre-construction (predictive) noise assessment 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 pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

This requirement does not apply to an application to amend a permit under section 72 or 97I of the Planning and Environment Act 1987, if the amendment to the permit sought by the application will not alter the noise assessment of the wind energy facility.

52.32-5

Mandatory condition

If a mandatory noise assessment must accompany an application under Clause 52.32-4, any permit or amended permit issued with respect to that application 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.

52.32-6

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.


52.32-7

Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

52.32-8

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.
## Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</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.
Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
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.

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.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

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, 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.

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 of the net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area of the 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>
Visitor/Shopper/StudentEmployee/ResidentUse

1 to each 100 sq m of net floor area

Table 2 to Clause 52.34-5 Showers

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</td>
<td>None</td>
</tr>
</tbody>
</table>

Table 3 to Clause 52.34-5 – Change rooms

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</td>
<td>None</td>
</tr>
</tbody>
</table>

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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.
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>The subdivision of land that creates:</td>
<td></td>
</tr>
<tr>
<td>1 additional lot</td>
<td>None specified</td>
</tr>
<tr>
<td>2 additional lots</td>
<td>2%</td>
</tr>
<tr>
<td>3 additional lots</td>
<td>3%</td>
</tr>
<tr>
<td>4 additional lots</td>
<td>4%</td>
</tr>
<tr>
<td>5 or more additional lots</td>
<td>5%</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>
</table>
| AM 1.1  | A building is sited to ensure the site best achieves the following:  
- The maximum separation distance between the building and the bushfire hazard.  
- The building is in close proximity to a public road.  
- Access can be provided to the building for emergency service vehicles. |
| AM 1.2  | A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.  
A building is constructed to the bushfire attack level:  
- That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or  
- The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:  
  - A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.  
  - A minimum bushfire attack level of BAL12.5 is provided in all circumstances. |
| AM 1.3  | A building is provided with:  
- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.  
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. |

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The 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>
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 defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.
- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of AM 3.1 cannot be met.

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 defensible space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

### 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

#### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 4.1</strong></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td><strong>AM 4.2</strong></td>
<td>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:</td>
</tr>
</tbody>
</table>
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.

### Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

#### Measure Requirement

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 5.1</strong></td>
<td>An application to subdivide land, other than where <strong>AM 5.2</strong> 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>
</tbody>
</table>

| **AM 5.2** | An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: |
| | - Each lot satisfies the approved measure in **AM 2.1**. |
| | - A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with: |
| | | - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or |
| | | - Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. |
| | - The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope. |
| | - Defendable space wholly contained within the boundaries of the proposed subdivision. |
| | - 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. |
| | - Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure. |
| | - Water supply and vehicle access that complies with **AM 4.1**. |

| **AM 5.3** | An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting. |
Requirement

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- All other requirements of AM 5.2 have been met.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- 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.
### Table 1: Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</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>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></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>
</tbody>
</table>
Defendable space distance from building facade (metres)

<table>
<thead>
<tr>
<th>Vegetation Type</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mallee/Mulga</td>
<td>26</td>
<td>18</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
<td>23</td>
<td>17</td>
<td>&lt; 17</td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
</tr>
</tbody>
</table>

Downslope >15 to 20 degrees

<table>
<thead>
<tr>
<th>Vegetation</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest</td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
<td>&lt; 50</td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
<td>56</td>
<td>41</td>
<td>32</td>
<td>&lt; 32</td>
</tr>
<tr>
<td>Scrub</td>
<td>43</td>
<td>31</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
</tr>
<tr>
<td>Shrubland</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>&lt; 10</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>29</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
</tr>
<tr>
<td>Rainforest</td>
<td>56</td>
<td>42</td>
<td>29</td>
<td>22</td>
<td>&lt; 22</td>
</tr>
<tr>
<td>Grassland</td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
</tr>
</tbody>
</table>

Table 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Description</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>Column A: 48, Column B: 35, Column C: 25, Column D: 19</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>Column A: 33, Column B: 24, Column C: 16, Column D: 12</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>Scrub</td>
<td>27</td>
<td>19</td>
</tr>
<tr>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
</tr>
<tr>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
</tr>
<tr>
<td>Grassland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>57</td>
<td>43</td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>69</td>
<td>53</td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>82</td>
<td>64</td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
<td>20</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>98</td>
<td>78</td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
<td>56</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>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>
<tr>
<td>Vegetation class</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>&gt;0-5</td>
</tr>
<tr>
<td>Grassland</td>
<td>35</td>
</tr>
</tbody>
</table>

Table 4 Water supply requirements

Capacity, fittings and access

<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>
Column A | Column B
---|---
Length of access is less than 30 metres | Where fire authority access to the water supply is required under AM4.1, fire authority vehicles should be able to get within 4 metres of the water supply outlet.

Length of access is greater than 30 metres | The following design and construction requirements apply:
- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

Length of access is greater than 100 metres | A turning area for fire fighting vehicles must be provided close to the building by one of the following:
- A turning circle with a minimum radius of eight metres.
- A driveway encircling the dwelling.
- The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.

Length of access is greater than 200 metres | Passing bays must be provided at least every 200 metres.
- Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Note I: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 6 Vegetation management requirement

Vegetation management requirement

Defendable space is provided and is managed in accordance with the following requirements:
- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

<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:

- Doorways – by FLR -/60/30 self-closing fire doors
- Windows – by FRL -/60/- fire windows permanently fixed in the closed position
- Other openings – by construction with a FRL of not less than -/6/-

*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 freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred 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.
SCHEDULE TO CLAUSE 53.06 LIVE MUSIC AND ENTERTAINMENT NOISE

1.0  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>

2.0  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>
53.07

SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

53.07-1

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>

53.09-5

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-6

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 AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS

Purpose
To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

Threshold distance
The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of use or activity (purpose)</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic metal products</strong></td>
<td></td>
</tr>
<tr>
<td>Iron or steel production:</td>
<td></td>
</tr>
<tr>
<td>- up to 1,000,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>- exceeding 1,000,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Non-ferrous metal production:</td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>- between 100 and 2,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>- aluminium by electrolysis</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>Chemical, petroleum and coal products</strong></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production</td>
<td>1,000</td>
</tr>
<tr>
<td>Biocides production and storage</td>
<td>1,000</td>
</tr>
<tr>
<td>Briquette production</td>
<td>300</td>
</tr>
<tr>
<td>Chemical product manufacture other than listed within this group</td>
<td>300</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Coke processing</td>
<td>500</td>
</tr>
<tr>
<td>Cosmetics and toiletries production</td>
<td>100</td>
</tr>
<tr>
<td>Fertiliser production</td>
<td>1,000</td>
</tr>
<tr>
<td>Gasworks</td>
<td>1,000</td>
</tr>
<tr>
<td>Industrial gases production</td>
<td>1,000</td>
</tr>
<tr>
<td>Organic and inorganic industrial chemicals production other than those listed within this group</td>
<td>2,000</td>
</tr>
<tr>
<td>Other petroleum or coal production</td>
<td>500</td>
</tr>
<tr>
<td>Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Petroleum refinery</td>
<td>2,000</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary chemical production</td>
<td>1,000</td>
</tr>
<tr>
<td>Polyester and synthetic resins production, exceeding 2,000 per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Rubber production:</td>
<td></td>
</tr>
<tr>
<td>synthetic rubber, exceeding 2,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>using either organic solvents or carbon black</td>
<td>300</td>
</tr>
<tr>
<td>using sulphur</td>
<td>1,000</td>
</tr>
<tr>
<td>Soap and detergent production</td>
<td>500</td>
</tr>
<tr>
<td><strong>Fabricated metal products</strong></td>
<td></td>
</tr>
<tr>
<td>Abrasive blast cleaning</td>
<td>500</td>
</tr>
<tr>
<td>Boiler maker</td>
<td>100</td>
</tr>
<tr>
<td>Metal coating and finishing</td>
<td>500</td>
</tr>
<tr>
<td>Structural or sheet metal production</td>
<td>500</td>
</tr>
<tr>
<td><strong>Food and beverages</strong></td>
<td></td>
</tr>
<tr>
<td>Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day</td>
<td>500</td>
</tr>
<tr>
<td>Animal processing</td>
<td>1,000</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Bakery (other than one ancillary to a shop):</td>
<td></td>
</tr>
<tr>
<td>• exceeding 200 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>• night-time operations, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Flour mill, exceeding 200 tonnes per year</td>
<td>250</td>
</tr>
<tr>
<td>Food production other than those listed within this group:</td>
<td></td>
</tr>
<tr>
<td>• exceeding 200 tonnes per year</td>
<td>250</td>
</tr>
<tr>
<td>• including frying, drying or roasting, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Grain and stockfeed mill and handling facility</td>
<td></td>
</tr>
<tr>
<td>• with meat meals or tallow</td>
<td>500</td>
</tr>
<tr>
<td>• no meat meals or tallow</td>
<td>250</td>
</tr>
<tr>
<td>Maltworks, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Manufacture of milk products, exceeding 200 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
</tr>
<tr>
<td>Pet food production</td>
<td>500</td>
</tr>
<tr>
<td>Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Seafood processor, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Smallgoods production:</td>
<td></td>
</tr>
<tr>
<td>• exceeding 200 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>• including smoking and drying, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Miscellaneous manufacturing</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens</td>
<td>500</td>
</tr>
<tr>
<td>Rendering and casings works</td>
<td>1,000</td>
</tr>
<tr>
<td>Non-metallic mineral products</td>
<td></td>
</tr>
<tr>
<td>Bitumen batching plant</td>
<td>1,000</td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
</tr>
<tr>
<td>• up to 5,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>• between 5,000 and 150,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>• exceeding 150,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:</td>
<td>500</td>
</tr>
<tr>
<td>Concrete batching plant, with a production rate exceeding 5,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Glass and glass production including glass wool and fibreglass</td>
<td>500</td>
</tr>
<tr>
<td>Plaster or plaster articles production, exceeding 5,000 tonnes per year</td>
<td>200</td>
</tr>
<tr>
<td>Rock wool manufacture</td>
<td>500</td>
</tr>
<tr>
<td>Solar salt manufacture</td>
<td>1,000</td>
</tr>
</tbody>
</table>

**Other premises**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive body, paint and interior repair</td>
<td>100</td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce</td>
<td>300</td>
</tr>
</tbody>
</table>

**Paper and paper products**

<table>
<thead>
<tr>
<th>Type of production</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<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 and rags</td>
<td>200</td>
</tr>
<tr>
<td>• by other methods than above</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Recreational, personal and other services**

<table>
<thead>
<tr>
<th>Service</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

**Textiles**

<table>
<thead>
<tr>
<th>Type of production</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpet backing with latex</td>
<td>500</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles</td>
<td>300</td>
</tr>
<tr>
<td>Leather and artificial leather goods production</td>
<td>300</td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td></td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>up to 250 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>exceeding 250 tonnes per year</td>
<td>2,000</td>
</tr>
<tr>
<td>Rope, cordage and twine production</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of natural and synthetic fibres and textiles</td>
<td>1,000</td>
</tr>
<tr>
<td>Treatment or production of textiles using carbon disulphide</td>
<td>500</td>
</tr>
<tr>
<td>Wool scouring</td>
<td>200</td>
</tr>
</tbody>
</table>

**Transport and storage**

- Bus depot: 200
- Depot for refuse collection vehicles: 100
- Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes: 1,000
- Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:
  - with fixed roofs: 300
  - with floating roofs: 100
- Storage of wet-salted or unprocessed hides: 250

**Waste, recycling and resource recovery**

- Chemical or oil recycling: 1,000
- Combustion, treatment or bio-reaction of waste to produce energy: None specified
- Composting and other organic materials recycling: None specified
- Hazardous waste storage or treatment: 1,000
- Landfill: None specified
- Other recourse recovery or recycling operations: None specified
- Soil conditioning or blending: None specified
- Transfer station:
  - accepting organic wastes: 500
  - other: 200
- Used plastics treatment or processing: 500
<table>
<thead>
<tr>
<th>Type of use or activity (purpose)</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste tyre recycling and re-treading</td>
<td>1,000</td>
</tr>
<tr>
<td>Vehicle recycling or disposal</td>
<td>500</td>
</tr>
<tr>
<td><strong>Water and wastewater</strong></td>
<td></td>
</tr>
<tr>
<td>Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day</td>
<td>None specified</td>
</tr>
<tr>
<td>Water treatment plant</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Wood, wood products and 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, wood products and furniture</td>
<td>500</td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td></td>
</tr>
<tr>
<td>up to 10,000 cubic metres of timber per year</td>
<td>100</td>
</tr>
<tr>
<td>exceeding 10,000 cubic metres of timber per year</td>
<td>300</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 exemption 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).
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>
<tr>
<td>Development context</td>
<td>Minimum setback from front street (metres)</td>
<td>Minimum setback from a side street (metres)</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<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.

Overshadowing solar energy systems

Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems 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 system must exist at the date the application is lodged.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling 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 system 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

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

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 \( da \cdot V_{ave} < 0.35 \text{ m}^2/\text{s} \) (where, \( da = \text{average depth in metres} \) and \( V_{ave} = \text{average velocity in metres per second} \)).

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.
NON-GOVERNMENT SCHOOLS

Purpose
To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

Application
This clause applies to an application under any provision of this scheme for any of the following provided that the proposed use or development is funded, or partly funded, by the Victorian Government's Non-Government Schools Capital Fund:

- Use or development of land for a new primary school or secondary school.
- Construction of a building on land used for a primary school or secondary school provided the combined gross floor area of all new buildings is 5,000 square metres or greater.
- Construction of additional classrooms on land used for a primary school or secondary school.
- An increase of the permitted number of students associated with additional classrooms on land used for a primary school or secondary school.
- Removal or replacement of non-conforming or non-compliant building products on land used for a primary school or secondary school.

This clause does not apply to an application lodged before the approval date of Amendment VC165.

Exemption from notice and review
An application to which Clause 53.19 applies is exempt from the notice requirements of section 52(1)(a), (b), (c) and (d), the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.
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 verandas 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>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
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</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>
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<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.</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>
<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></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 systems 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 system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, 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 system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**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**

[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.
Diagram A3 North-facing windows

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- 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**

**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.
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.
Diagram A5 Solar access to open space

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.
**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.</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.</td>
</tr>
<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>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 systems 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 system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.
**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 system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

**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**

Entrances 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.

55.04-2

**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 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 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.

55.04-3

**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

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 systems 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 system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified 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></td>
<td>MJ/M² per annum</td>
</tr>
<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 Warmambool</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 system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy 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 rooftop 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><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 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 and has readily removable hinges.</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>
<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. The circulation area for the toilet and shower can overlap.</td>
<td>- Clear of the toilet and basin. 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>
<td>Not applicable.</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 better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

### 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 usability, 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 the 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 AND DESIGN RESPONSE

Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**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.

**56.04-5**

**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.
- 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 volume¹</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m⁴ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>None</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>None Carriageway designed as a shared zone and appropriately signed.</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 volume¹</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>Kerbing&lt;sup&gt;5&lt;/sup&gt;</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>
</tbody>
</table>
| Footpath provision | Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.  
 or  
 1.5m wide footpath offset a minimum distance of 1m from the kerb. |
| Cycle path provision | None |

**Access Street - Level 1**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume&lt;sup&gt;1&lt;/sup&gt;</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;sup&gt;2&lt;/sup&gt;</td>
<td>30kph</td>
</tr>
<tr>
<td>Carriageway width&lt;sup&gt;3&lt;/sup&gt; &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&lt;sup&gt;4&lt;/sup&gt;</td>
<td>4m minimum each side</td>
</tr>
<tr>
<td>Kerbing&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| Footpath provision | 1.5m wide footpaths on both sides.  
 Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.  
 Be offset a minimum distance of 1m from the kerb. |
| Cycle path provision | Carriageway designed as a shared zone and appropriately signed. |

**Access Street - Level 2**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume&lt;sup&gt;1&lt;/sup&gt;</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;sup&gt;2&lt;/sup&gt;</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width&lt;sup&gt;3&lt;/sup&gt; &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&lt;sup&gt;4&lt;/sup&gt;</td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td>Kerbing&lt;sup&gt;5&lt;/sup&gt;</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| Footpath provision | 1.5m wide footpaths on both sides.  
 Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. |
Be offset a minimum distance of 1m from the kerb.

**Cycle path provision**

Carriageway designed as a shared zone and appropriately signed.

### Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<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>

**Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation**

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
  - For on-street cycling, increase the minimum clear carriageway in each direction by:
    - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
    - 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or
    - 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.

- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops at the kerbside, not indented within the verge.

<table>
<thead>
<tr>
<th>Verge width⁴</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerbing⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides.</td>
</tr>
<tr>
<td></td>
<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></td>
<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

Traffic volume

- Greater than 7000vpd

Target speed

- Arterial road design as required by the relevant roads authority.

Carriageway width & parking provision within street reservation

- Arterial road design as required by the relevant roads authority.
Verge width*: Arterial road design as required by the relevant roads authority.

Kerbing*: Arterial road design as required by the relevant roads authority.

Footpath & cycle path provision: 3m wide shared path on each side or as otherwise required by the relevant roads authority.

Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
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.
UTILITIES

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>
</table>
| 750 - 1000 square metres | 5% of site area  
(minimum dimension of 3 metres) | 1 small tree (6-8 metres) per 30 square metres of deep soil |
| 1001 - 1500 square metres | 7.5% of site area  
(minimum dimension of 3 metres) | 1 medium tree (8-12 metres) per 50 square metres of deep soil  
or  
1 large tree per 90 square metres of deep soil |
| 1501 - 2500 square metres | 10% of site area  
(minimum dimension of 6 metres) | 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 |
| >2500 square metres | 15% of site area  
(minimum dimension of 6 metres) | 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 |

*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.

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.

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 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></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: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
<td>Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is: A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.</td>
<td>A clear circulation area that is: A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.</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>
<td>Not applicable.</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 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 better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).

- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- Any relevant waste and recycling objective, policy or statement set out in this scheme.
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.

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.
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 system 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.
CAR PARKING

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:
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.

**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.
### SCHEDULE TO CLAUSE 59.15 LOCAL VICSALT SMART APPLICATIONS

**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>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMA ART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
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.
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.
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.

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.

### 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.
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.
DAMAGE 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 kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or
- the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Roads Corporation) under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
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>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td></td>
<td></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 Catchment and Land Protection Act 1994 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>
<tr>
<td></td>
<td>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>

### 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 Conservation, Forests and Lands Act 1987)</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, utility installation 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, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry, utility installation or warehouse 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 | Referral authority | Type of referral authority
--- | --- | ---
- A notification is required under the Occupational Health and Safety Regulations 2017. |  |  
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011. |  |  
- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. |  |  

### Extractive industry

#### Kind of application | Referral authority | Type of referral authority
--- | --- | ---
- To use or develop land for extractive industry. | Secretary to the Department administering the *Heritage Act 1995*. Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*. | Determining referral authority  
- To use or develop land for extractive industry:  
  - In Special Areas declared under Section 27 of the *Catchment and Land Protection Act 1994*. | Secretary to the Department administering the *Catchment and Land Protection Act 1994*. | Determining 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>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 Flora and Fauna Guarantee Act 1988</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 the Flora and Fauna Guarantee Act 1988</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for extractive industry:</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.</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 Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</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 <em>Geothermal Energy Resources Act 2005</em></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 <em>Greenhouse Gas Geological Sequestration Act 2008</em></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>
<tr>
<td>This does not apply to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## 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 Water Act 1989.</td>
<td>Secretary to the Department administering the Water Act 1989.</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
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></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 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining 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></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 44.04-7 (LSIO)</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></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 <em>Road Management Act 2004</em>.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 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>Clause 3.0 of Schedule 10 to Clause 43.02 (DDO).</td>
<td>An application for buildings and works the height of which exceeds 62.9m above the Australian Height Datum.</td>
<td>Secretary to the Department of Health and Human Services.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 11 to Clause 43.02 (DDO).</td>
<td>An application for buildings and works the height of which exceeds 74.9 metres above the Australian Height Datum.</td>
<td>Secretary to the Department of Health and Human Services.</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 application to extend a building 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, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2
Development of land for:
A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3
Any other use or development.
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 THE MUNICIPAL PLANNING STRATEGY

Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

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.
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.
- Primary school or secondary school to which Clause 53.19 applies.

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 Darebin 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:
The Minister for Planning is the Responsible Authority for administering and enforcing the planning scheme for land in PC367392 on Walker Street, Northcote and as shown in the map below:

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, 3 of Part 4 and Division 1 of Part 9 of the Planning and Environment Act 1987 required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to land included in the cross-hatched section shown in the map below:
3.0

Person or responsible authority for issuing planning certificates:

Minister for Planning.

4.0

Responsible authority for VicSmart and other specified applications:

The Chief Executive Officer of the Darebin City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Darebin City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
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.
Area covered by this planning scheme:

Municipal district of the City of Darebin.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).

- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.

- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

Maps comprising part of this planning scheme:

Zoning maps 1-18, the following overlay maps:

- 1, 1DCPO, 1DDO, 1ESO, 1LSIO, 1RXO
- 2, 2DCPO, 2DDO, 2EAO, 2LSIO, 2SBO
- 3, 3DCPO, 3ESO, 3LSIO, 3PAO, 3SBO
- 4, 4DCPO, 4ESO, 4HO, 4LSIO, 4VPO
- 5, 5DCPO, 5ESO, 5HO, 5LSIO, 5SBO,
- 6, 6DCPO, 6DDO, 6EAO, 6HO, 6LSIO, 6SBO,
- 7, 7DDO, 7EAO, 7ESO, 7HO, 7DCPO, 7LSIO, 7SBO
- 8, 8DCPO, 8DDO, 8DPO, 8EAO, 8ESO, 8HO, 8VPO, 8LSIO, 8SBO
- 9, 9DCPO, 9HO, 9SBO, 9VPO
- 10, 10DCPO, 10DDO, 10DPO, 10EAO, 10ESO, 10HO, 10LSIO, 10SBO
- 11, 11DDO, 11DCPO, 11DPO, 11EAO, 11HO, 11PAO, 11SBO
- 12, 12DDO, 12DCPO, 12EAO, 12ESO, 12HO, 12IPO, 12LSIO, 12PAO, 12SBO
- 13, 13DDO, 13DCPO, 13DPO, 13EAO, 13ESO, 13HO, 13LSIO, 13PAO, 13SBO
- 14, 14DDO, 14DCPO, 14DPO, 14EAO, 14HO, 14PAO, 14SBO
- 15, 15DDO, 15DCPO, 15DPO, 15EAO, 15ESO, 15HO, 15LSIO, 15PAO 15RXO
- 16, 16DDO, 16DCPO, 16DPO 16EAO, 16ESO, 16HO, 16LSIO, 16PO
- 17, 17DDO, 17DCPO, 17EAO, 17ESO, 17HO, 17LSIO, 17PAO, 17SBO
- 18, 18DCPO, 18EAO, 18ESO, 18HO, 18LSIO, 18PAO, 18SBO
DOCUMENTS 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>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Assessment of Trees for VPO Update in Mount Cooper, Bundoora 3 December 2009</td>
<td>C105</td>
</tr>
<tr>
<td>Assessment of Trees for VPO Update in Springthorpe Estate, Macleod 16 May 2010</td>
<td>C105</td>
</tr>
<tr>
<td>Biosciences Research Centre Incorporated Document, June 2008</td>
<td>C94</td>
</tr>
<tr>
<td>Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)</td>
<td>GC80</td>
</tr>
<tr>
<td>City of Darebin Development Contributions Plan, June 2004 (Revised 2015)</td>
<td>C148</td>
</tr>
<tr>
<td>Concept Plan and Building Envelope Plan, Northland Plan No 3, September 2000</td>
<td>C21</td>
</tr>
<tr>
<td>High Street, Reservoir Level Crossing Removal Project Incorporated Document, March 2018</td>
<td>GC86</td>
</tr>
<tr>
<td>Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017</td>
<td>GC60</td>
</tr>
<tr>
<td>Incorporated Document - Preston Residential Heritage Precincts Permit Exemptions, February 2008</td>
<td>C68</td>
</tr>
<tr>
<td>Lancaster Gate Tree Protection Layout Plan – Stages 3 and 4 – 1 September 2003</td>
<td>C51</td>
</tr>
<tr>
<td>Lancaster Gate Tree Protection Plan – Stages 1 and 2 – 1 September 2003</td>
<td>C51</td>
</tr>
<tr>
<td>Preston Central Incorporated Plan March 2007 (as amended 2014)</td>
<td>C135</td>
</tr>
<tr>
<td>Preston Market Incorporated Plan March 2007</td>
<td>C67</td>
</tr>
<tr>
<td>Vegetation Survey – Former Kingsbury Centre Site, Bundoora - Map 2</td>
<td>C5</td>
</tr>
</tbody>
</table>
72.05  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:

2 December 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>
## 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><strong>Act</strong></td>
<td>The <em>Planning and Environment Act 1987</em>.</td>
</tr>
<tr>
<td><strong>Agricultural production</strong></td>
<td><em>Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.</em></td>
</tr>
<tr>
<td><strong>Anemometer</strong></td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td><strong>Apartment</strong></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><strong>Approval date</strong></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><strong>Basement</strong></td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td><strong>Building height</strong></td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td><strong>Building Regulations</strong></td>
<td>The <em>Building Regulations 1994</em>.</td>
</tr>
<tr>
<td><strong>Carriageway</strong></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><strong>Central Highlands region</strong></td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td><strong>Clear to the sky</strong></td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td><strong>Defendable space</strong></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><strong>Deflection angle</strong></td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td><strong>Design speed</strong></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><strong>Domestic services</strong></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><strong>Earthworks</strong></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><strong>Frontage</strong></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><strong>Gaming</strong></td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------------------------</td>
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</tr>
<tr>
<td><strong>Gaming machine</strong></td>
<td>Has the same meaning as it has in the <em>Gambling Regulation Act 2003</em>.</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: ◦ an eave, fascia or gutter that does not exceed a total width of 600mm; ◦ a pergola; ◦ unroofed terraces, patios, decks, steps or landings less than 800mm in height; ◦ a basement that does not project above ground level; ◦ any outbuilding that does not exceed a gross floor area of 10 square metres; and ◦ domestic services normal to a dwelling or residential building; b) a driveway; or 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: a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.</td>
</tr>
<tr>
<td><strong>Hume region</strong></td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchel1, 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>
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</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><strong>Loddon Mallee North region</strong></td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td><strong>Loddon Mallee South region</strong></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><strong>Metropolitan Melbourne</strong></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>
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</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:</td>
</tr>
<tr>
<td></td>
<td>a) with antenna, more than 14 metres above the ground;</td>
</tr>
<tr>
<td></td>
<td>b) if attached to a building, with antenna, more than 5 metres above the roof line;</td>
</tr>
<tr>
<td></td>
<td>c) including antenna, wider than 6 metres; or</td>
</tr>
<tr>
<td></td>
<td>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 Sex Work Act 1994.</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:</td>
</tr>
<tr>
<td></td>
<td>a) the economic viability of agricultural production;</td>
</tr>
<tr>
<td></td>
<td>b) the natural resource base; and</td>
</tr>
<tr>
<td></td>
<td>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><strong>Above-verandah sign</strong></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><strong>Display area</strong></td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td><strong>Animated sign</strong></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><strong>Bed and breakfast sign</strong></td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td><strong>Bunting sign</strong></td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td><strong>Business identification sign</strong></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><strong>Direction sign</strong></td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td><strong>Electronic sign</strong></td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td><strong>Floodlit sign</strong></td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td><strong>High-wall sign</strong></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><strong>Home based business sign</strong></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><strong>Internally illuminated sign</strong></td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td><strong>Major promotion sign</strong></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><strong>Panel sign</strong></td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td><strong>Pole sign</strong></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>
<tr>
<td>Sign term</td>
<td>Definition</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>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.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td></td>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td></td>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
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 other 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>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Land used to:</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;</td>
<td>Aquaculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, board, or train animals, including livestock, and birds; or</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Transport terminal</td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Amusement parlour</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>A building that contains:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) three or more coin, card, or token operated amusement machines;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or
c) two or more coin, card, or token operated billiard, snooker, or pool tables.

It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<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></td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
<td></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></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td></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></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></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></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>
</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass,</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td></td>
<td>paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td></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</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>accommodation, food for consumption on the premises, entertainment,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dancing, amusement machines, and gambling.</td>
<td></td>
<td></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</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td></td>
<td>for persons away from their normal place of residence.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td></td>
<td>receive a monetary reward.</td>
<td></td>
<td></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</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td>water.</td>
<td></td>
<td></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</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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>
<td>Included in</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
<td>---------------------------</td>
</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></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
<td>Service industry</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></td>
<td>Intensive animal production</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></td>
<td>Kindergarten, 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></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td></td>
<td>Residential building</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>
<tr>
<td>Conference centre</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>Function centre</td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption. It may include supervisory staff and support services for residents and visitors.</td>
<td></td>
<td></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>Shop</td>
<td></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>Accommodation</td>
<td></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>Dance studio</td>
<td></td>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Data centre</td>
<td></td>
<td>Utility installation</td>
<td>Shop</td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td></td>
<td></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>Accommodation</td>
<td></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>
<td></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>
</tr>
<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>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</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>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:</td>
<td>Bed and breakfast</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td>a) a kitchen sink;</td>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) food preparation facilities;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) a bath or shower;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) a toilet and wash basin.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes outbuildings and works normal to a dwelling.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<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>Extractive industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy exploration</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>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td></td>
<td>Mining</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td></td>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
<td>Petroleum exploration</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td></td>
<td>Petroleum production</td>
<td></td>
</tr>
<tr>
<td>Petroleum production</td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td>An office used for electoneering by a candidate in a local, State, or Federal Government election.</td>
<td></td>
<td>Office</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></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td>Education centre</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>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Waste-to-energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</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>Art gallery</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Extractive industry</td>
<td>Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td></td>
<td>It includes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- the rehabilitation of the land; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the</td>
<td></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>
</tr>
<tr>
<td><strong>Food and drink premises</strong></td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Bar, Convenience restaurant, Hotel, Restaurant</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td><strong>Freeway service centre</strong></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></td>
<td></td>
</tr>
<tr>
<td><strong>Freezing and cool storage</strong></td>
<td></td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td><strong>Fuel depot</strong></td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot, Solid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td><strong>Function centre</strong></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, Reception centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td><strong>Funeral parlour</strong></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></td>
<td></td>
</tr>
<tr>
<td><strong>Gambling premises</strong></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, Gaming premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td><strong>Gaming premises</strong></td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td><strong>Garden supplies</strong></td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td><strong>Geothermal energy exploration</strong></td>
<td>Land used for geothermal energy exploration as defined in the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</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>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction as defined in 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>
</tbody>
</table>
| Grazing animal production      | Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:  
  • emergency, seasonal and supplementary feeding;  
  • the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.  
In this definition:  
  *Emergency feeding* means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;  
  *Seasonal feeding* means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;  
  *Supplementary feeding* means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land. | Animal production |                                             |
<p>| Greenhouse gas sequestration   | Land used for greenhouse gas substance injection and monitoring as defined in the Greenhouse Gas Geological Sequestration Act 2008. | Earth and energy resources industry           |                                             |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas sequestration formation exploration as defined in the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources</td>
<td>industry</td>
</tr>
<tr>
<td>exploration</td>
<td></td>
<td></td>
<td></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>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</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, but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heliport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Home based business</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></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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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<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) dismantling or breaking up of any article;  
   c) treating waste materials;  
   d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);  
   e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or  
   f) any process of testing or analysis.  
   If on the same land as any of these operations, it also includes:  
   a) storing goods used in the operation or resulting from it;  
   b) providing amenities for people engaged in the operation;  
   c) selling by wholesale, goods resulting from the operation; and  
   d) accounting or administration in connection with the operation.  
   If Materials recycling, goods resulting from the operation may be sold by retail.                                                                                                                                                                                                                                                                                                                                                           | Materials recycling  
   Refuse disposal  
   Transfer station  
   Research and development centre  
   Rural industry  
   Service industry                                                                 |                                               |                                               |
<p>| Informal outdoor recreation | Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.                                                                                                                                                                                                                                                                                                                                                                                   | Minor sports and recreation facility                          |                                               |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<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. It does not include: an abattoir or sale yard; or grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Cattle feedlot</td>
<td>Animal production</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>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td>Child care centre</td>
<td></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>Shop</td>
<td></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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</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>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>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</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, Mooring pole, Pier, Pontoon</td>
<td>Recreational boat facility</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>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 exploration as defined in the <em>Mineral Resources (Sustainable Development) Act</em> 1990.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mining</td>
<td>Land used for mining as defined in the <em>Mineral Resources (Sustainable Development) Act</em> 1990.</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, Informal outdoor recreation, Open sports ground, Outdoor recreation facility, Restricted recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following:</td>
<td>Water retarding basin</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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>c) flow measurement device or a structure to gauge waterway flow;</td>
<td>includes</td>
<td>flow measurement device</td>
<td></td>
</tr>
<tr>
<td>d) siphons, water storage tanks, disinfection booster stations and channels;</td>
<td>includes</td>
<td>structure to gauge waterway flow</td>
<td></td>
</tr>
<tr>
<td>e) gas mains providing gas directly to consumers;</td>
<td>includes</td>
<td>water storage tanks, disinfection booster stations</td>
<td></td>
</tr>
<tr>
<td>f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;</td>
<td>includes</td>
<td>gas mains</td>
<td></td>
</tr>
<tr>
<td>g) a pumping station required to serve a neighbourhood;</td>
<td>includes</td>
<td>sewerage treatment plant</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td>includes</td>
<td>power lines</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td>includes</td>
<td>electrical sub-station</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mooring pole</th>
<th>Marina</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests’ vehicles convenient to the rooms.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motor racing track</th>
<th>Leisure and recreation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor racing track</td>
<td>Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motor repairs</th>
<th>Panel beating</th>
<th>Service industry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor repairs</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motor vehicle, boat, or caravan sales</th>
<th>Car sales</th>
<th>Retail premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Car sales</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
</tr>
<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>
</tr>
<tr>
<td></td>
<td></td>
<td>Electoral office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Real estate agency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Travel agency</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>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf course</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf driving range</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>
</tr>
<tr>
<td>Paintball games facility</td>
<td></td>
<td>Zoo</td>
</tr>
<tr>
<td>Panel beating</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></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Party supplies</td>
<td>Land used for petroleum exploration as defined in the <em>Petroleum Act 1998.</em></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration as defined in the <em>Petroleum Act 1998.</em></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum production</td>
<td>Land used for petroleum production as defined in the <em>Petroleum Act 1998.</em></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td>Animal production</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>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</td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
<td>Animal production</td>
</tr>
<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Land used to keep, breed, board or train racing dogs.</td>
<td>Racing dog training</td>
</tr>
<tr>
<td>Racing dog training</td>
<td></td>
<td></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>Railway station</td>
</tr>
<tr>
<td>Real estate agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception 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>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td></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>
</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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</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>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</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>
</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>
</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</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>
</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>
</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</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>-----------------------------</td>
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<td>---------------------------</td>
</tr>
<tr>
<td><strong>b)</strong> 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It does not include the sale of packaged liquor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Restricted place of assembly</strong></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 include food and drink for consumption on the premises, and gaming.</td>
<td></td>
</tr>
<tr>
<td><strong>Restricted recreation facility</strong></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>
</tr>
<tr>
<td><strong>Restricted retail premises</strong></td>
<td>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;</td>
<td>Equestrian supplies Party supplies</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>l) sporting, cycling, leisure, fitness goods and accessories; or</td>
<td>m) goods and accessories which:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>● Require a large area for handling, display and storage of goods; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>● 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.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td>Gambling premises</td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td>Manufacturing sales</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
</tr>
<tr>
<td>Retirement village</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></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the <em>Residential Tenancies Act 1997</em>.</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to:</td>
<td>Abattoir</td>
</tr>
<tr>
<td></td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sawmill</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></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>
</tr>
<tr>
<td>Service station</td>
<td>Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:</td>
<td>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.</td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Land used to sell goods or services, or to hire goods. It includes:</td>
<td>Adult sex product shop, Beauty salon, Bottle shop, Convenience shop, Dry cleaning agent, Department store, Hairdresser, Laundromat</td>
</tr>
<tr>
<td></td>
<td>• the selling of bread, pastries, cakes or other products baked on the premises;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• demonstrations of products including music performances in shops selling recorded music.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• food and drink premises;</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>gambling premises;</td>
<td><strong>Restricted retail premises</strong></td>
<td>Supermarket</td>
</tr>
<tr>
<td>landscape gardening supplies;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>manufacturing sales;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>market;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>motor vehicle, boat, or caravan sales;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>postal agency;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>primary produce sales;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>trade supplies.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sign**

**Slipway**

**Boat launching facility**

**Solar energy facility**

Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network.

It does not include the generation of electricity principally used for an existing use of land.

**Solid fuel depot**

Land used to sell solid fuel, such as briquettes, coal, and fire wood.

**Store**

Land used to store goods, machinery, or vehicles.

**Boat and caravan storage**

**Freezing and cool storage**

**Rural store**

**Shipping container storage**

**Vehicle store**

**Warehouse**
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supermarket</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>
<td>Shop</td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Tertiary institution</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>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Timber production</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>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade supplies</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>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail premises</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>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) automotive repairs and servicing;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) building;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) commerce;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) industry;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) landscape gardening;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) the medical profession;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) primary production; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) local government, government departments or public institutions.</td>
<td></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>
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</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>
<td></td>
<td>Industry</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>
<td>Airport</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>
<td>Bus terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Railway station</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road freight terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Data centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td>Reservoir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td>Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
<td></td>
<td></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>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
<td></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>
</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>
<td>Commercial display area, Fuel depot, Mail centre, Milk depot, Store</td>
<td></td>
</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>
<td>Energy generation facility</td>
<td></td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td>Minor utility installation</td>
<td></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>
<td>Transport terminal</td>
<td></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>
<td>Renewable energy facility</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>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td>Outdoor recreation facility</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
  - Grazing 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
Earth and energy resources group

- Extractive industry
  - Geothermal energy exploration
  - Geothermal energy extraction
  - Greenhouse gas sequestration
    - Greenhouse gas sequestration exploration
  - Mining
    - Mineral exploration
    - Petroleum exploration
    - Petroleum production
  - Stone exploration
Office group

- Bank
- Electoral office
- Office
- Medical centre
- Real estate agency
- Travel agency
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

- Recreational boat facility
  - Marina
    - Jetty
    - Mooring pole
    - Pier
    - Pontoon
  - Boat launching facility
    - Boat ramp
    - Slipway
Retail premises group

- Bar
- Convenience restaurant
- Hotel
- Restaurant
- Take away food premises
- Betting agency
- Gaming premises
- Garden supplies
- Plant nursery
- Landscape gardening supplies

- Manufacturing sales
- Market
- Motor vehicle, boat, or caravan sales
- Car sales
- Postal agency
- Primary produce sales

- See separate diagram for the sub-group of Shop

- Shop
- Trade supplies
- Timber yard
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

Retail premises

Shop
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf

Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications 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
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.