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)
Victoria Settlement Framework
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

- Central city
- National employment and innovation cluster (NEIC)
- Metropolitan Activity Centre
- State-significant industrial precinct
- State-significant road corridor
- Rail network
- Transport gateway - major airport
- Transport gateway - airport
- Transport gateway - seaport
- Water's Edge Parklands
- Green wedge land
- Urban Growth Boundary
- Urban Area
- Interstate freight terminal (indicative)
- Transport gateway - possible airport (indicative)
- Transport gateway - possible seaport (indicative)

Transport Infrastructure Improvements
1. Rail improvements Sunbury to Cranbourne
2. West Gate Tunnel
3. North East Link
4. Melbourne Airport Rail
5. Suburban Rail Loop Concept Route

Potential Transport Infrastructure Improvements
1. Western Rail Plan
2. Outer Metropolitan Ring / E6 Reservation
3. Avalon Rail Link
4. Western Port highway upgrade / Rail Link to Hastings
Green wedges - Metropolitan Melbourne

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

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

Policy documents
Consider as relevant:

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

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

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

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

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

- Directing land uses to appropriate locations.
- Using a range of building design, urban design, operational and land use separation measures.
**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*.
- Any action statement or management plan prepared under the *Flora and Fauna Guarantee Act 1988*.

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)

- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
Water quality

Objective
To protect water quality.

Strategies
Protect reservoirs, water mains and local storage facilities from potential contamination. Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments. Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes. Prevent the establishment of incompatible land uses in aquifer recharge or saline discharge areas and in potable water catchments. Encourage the siting, design, operation and rehabilitation of landfills to reduce impact on groundwater and surface water. Use the mapped information available from the Department of Environment, Land, Water and Planning to identify the beneficial uses of groundwater resources and have regard to potential impacts on these resources from proposed land use or development.

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

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

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

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

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

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

Develop and maintain buffers around mining and quarrying activities.

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

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

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

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

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

Policy guidelines
Consider as relevant:
- Any applicable State Environment Protection Policy.

Policy documents
Consider as relevant:
- Mineral Resources (Sustainable Development) Act 1990
- 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.
15.01 BUILT ENVIRONMENT
Urban design

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

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

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

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

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

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

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

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

Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

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, hilltops, 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.
16.01 RESIDENTIAL DEVELOPMENT

31/07/2018
VC148
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 Buffer Distances for Industrial Residual Air Emissions* (Environment Protection Authority, 1990)
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 Buffer Distances for Industrial Residual Air Emissions* (Environment Protection Authority, 1990)
**State significant industrial land**

**Objective**
To protect industrial land of state significance.

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

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

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

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

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

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

Policy guidelines
Consider as relevant:
- Any applicable regional tourism development strategy.

Policy documents
Consider as relevant:
Tourism 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:
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:
- The Victorian Transport Plan (Victorian Government, 2008)
- Victorian Ports Strategic Framework (Department of Infrastructure, 2004)
- Port Futures (Victorian Government, 2009)
- Port of Hastings Land Use and Transport Strategy (Port of Hastings Corporation, 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:
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.
Education precincts - Metropolitan Melbourne

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.
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

This Municipal Strategic Statement outlines the vision for the future use and development of land in the Yarra Ranges Shire. It has been prepared in the context of State and regional planning objectives and should be read in conjunction with Vision 2020 – A Vision for the Yarra Ranges Community and other Council strategies including:

- Sustainability Framework and the Sustainability Principles
- Shire of Yarra Ranges Community Well-Being Plan
- Council Plan
- Economic Development Strategy
- Environment Strategy
- The Upper Yarra and Regional Strategy Plan 1996 (Regional Strategy Plan)

The Upper Yarra Valley And Dandenong Ranges Regional Strategy Plan

The Upper Yarra Valley and Dandenong Ranges Authority (established under the Upper Yarra Valley and Dandenong Ranges Authority Act 1976) prepared the Regional Strategy Plan to enable increased protection for the special features and character of the region including the former shires of Healesville, Lilydale, Sherbrooke and Upper Yarra.

The Yarra Ranges Planning Scheme was prepared following Council amalgamation. Those requirements of the Regional Strategy Plan that could not be readily implemented under the standard Victoria Planning Provisions were integrated into the Planning Scheme via Clause 51.03 - Upper Yarra Valley and Dandenong Ranges Strategy Plan. This clause is unique to the Yarra Ranges Scheme and provides additional control to that found in the Victoria Planning Provisions.

The Regional Strategy Plan is currently administered under the Planning and Environment Act 1987. Section 46F of the Act prohibits the Minister for Planning from approving any amendment to this Scheme which is inconsistent with the Regional Strategy Plan.

Key policy directions from the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan include:

- There be no net increase in the total provision for residential development in the Dandenong Ranges, and no significant increase in the Yarra Valley and the southern foothills, beyond that provided for in proposals approved or exhibited at April 1979.
- Planning and management of resources in the region take account of the interests and views of the community, both within and beyond the region.
- Development be contained to ensure that it does not prejudice the conservation of natural resources and the amenity of those who live there and those who visit the area for recreation.
- Natural resources worthy of conservation include significant vegetation (both native and exotic) and wildlife habitats of importance.
- Planning that seeks to minimise fire risk.
- Planning for recreation that seeks to minimise any adverse effect of tourism and day-tripping on residents, existing land use and the environment, and ensures compatibility with the primary aims of the Policy.
- Systems of open space be retained and others developed, where appropriate, along the Yarra River and its main tributaries.
- Landscapes and scenic features be maintained, enhanced where appropriate, and rehabilitated where necessary.
- Agricultural land in non-urban zones generally be retained for rural and green wedge pursuits.
The key policy directions of the Regional Strategy Plan are consistent with current Victoria Planning Policy. The metropolitan strategy, Melbourne 2030 – Planning for Sustainable Future, supports ‘development in the green wedge that provides for environmental, economic and social benefits while protecting critically important flora and fauna habitat and important landscapes such as the …Dandenong and Yarra Ranges, and the Yarra Valley.’

Both the Regional Strategy Plan and Melbourne 2030 represent a long history of support for urban containment and conservation protection. This will continue to require a sensitive and measured approach to land use and development, with some being either prohibited or strictly controlled so as to prevent environmental degradation.

The community strongly supports this position which is reinforced in this Municipal Strategic Statement.
MUNICIPAL PROFILE

The Shire of Yarra Ranges is located on the eastern fringe of metropolitan Melbourne with a population currently estimated at 145,000.

The Shire balances a mix of urban and rural communities. Around 70% of the Shire’s population live in the urban areas of the municipality (approximately 3% of its landmass). The rest is distributed throughout the remaining areas. There are over 55 suburbs, townships, small communities and rural areas within the Shire, making it one of the most diverse municipalities in the State.

There are approximately 244,700 hectares or 2447 km² of land in the Shire of Yarra Ranges, comprised of the following:

- 166,396 hectares (68%) of Crown Land, the majority of which is managed by the Victorian Government as State Forests, Reserves and National Parks.
- 73,410 hectares (30%) of private land, managed by land owners and occupiers
- 4,894 hectares (2%) of Shire of Yarra Ranges, managed by Council.

Many residents value living within or being in close proximity to the area’s scenic and bushland environments and have therefore traded off suburban convenience for the lifestyle and rural benefits. Future planning needs to respect and reinforce this community value, while maintaining a diverse and sustainable future.

Environment

The Shire of Yarra Ranges has long been recognised as a special place for its natural beauty and diverse habitats. The combination of national parks, state forests, private gardens and its location on the doorstep of Melbourne all combine to make the area unique in its natural, cultural and amenity values.

The Shire contains some of the most environmentally important areas in Victoria, which are a significant factor in attracting residents and tourists. The mountainous landscapes and the Yarra River valley contain significant areas of remnant native vegetation, much of which is botanically and zoologically significant, providing important habitat for wildlife.

Vast tracts of public land in the upper reaches of the Yarra River (some closed catchments) supply approximately 80% of Melbourne’s domestic water requirements.

Economy

Yarra Ranges has a diverse economy of around 10,000 businesses, which employ over 35,000 people. Manufacturing continues to represent the single most valuable sector of the economy, with construction, property and business services, retail trade and agricultural and other key sectors.

The Shire and in particular the Yarra Valley is gaining local and international recognition as a fine food and wine producing area. Each year, over 2.2 million tourists visit the area, including the wineries of the Yarra Valley and townships and gardens of the Dandenong Ranges.
Metropolitan Context Map
VISION

The community’s vision for the future of Yarra Ranges is expressed in *Vision 2020- Community Plan* which serves as a strategic framework for the municipality and guide to the future. It is based on the simple idea that if the community decide on where they are going, the chances are they will get there.

The Council Plan states:

*The Shire of Yarra Ranges will be a vibrant and dynamic Shire based on strong local communities living in a place of great natural beauty. Our world class Shire will be sustained by a strong local economy and a rich social fabric that is consistent with and support its environmental values.*

This vision will be achieved through the Shire’s Sustainability Framework, which encompasses the concepts of both a sustainable community and a sustainable organisation and is underpinned by the following principles:

- Long term rather than short term actions
- Strengthening communities
- Developing local solutions in response to wider issues
- Working together

The development of strategic land use policies and implementation of them through zones, overlays and associated policy guidance, will seek to deliver on the vision and sustainability principles expressed above.

Strategic Framework

Planning for Yarra Ranges is intrinsically linked to the Shire’s geographic diversity. The high quality environmental setting and landscape backdrop of the Dandenong Ranges and Yarra Valley enhance the Shire’s overall appeal and attractiveness. The character of individual areas is determined by the combination of key factors including lot size, road treatments, topography and vegetation cover.

The Planning Scheme recognises the importance of preserving these features by distinguishing areas for future development. The Strategic Framework Map delineates the outer metropolitan areas, foothills of the Dandenong Ranges and rural townships from the intensity of development anticipated in the more metropolitan areas of Yarra Ranges. The Shire’s vast rural areas are identified for agriculture, conservation and recreation.

The objectives, and strategies in the Municipal Strategic Statement use the designations of metropolitan, foothills, rural towns and rural / green wedge to articulate Council’s preference for guiding use and development to the most appropriate and sustainable locations.

**Metropolitan Areas: Chirnside Park, Lilydale, Kilsyth and Mooroolbark**

Metropolitan areas within Yarra Ranges vary from the Shire’s first settlement, Lilydale (circa 1840) to the more contemporary centres of Chirnside Park, Kilsyth and Mooroolbark. Generally metropolitan areas are well served by shopping centres, community facilities and public transport and provide employment opportunities. The Shire’s two major activity centres are identified as Chirnside Park and Lilydale.

The metropolitan areas are generally quite leafy with some areas of significant vegetation. Most metropolitan areas do not have significant environmental or topographical constraints; however some locations particularly those at the interface with rural areas can be quite remote from services and facilities and can have unsealed roads.
Foothills Areas: Belgrave, Tecoma, Upwey, Montrose and Mount Evelyn

Located in the southern parts and lower slopes of the Dandenong Ranges, these communities are visually prominent when viewed from other parts of the Shire and surrounding areas. They are characterised by an extensive tree canopy including remnant vegetation and mature exotic gardens. There is only limited potential for more intensive development in these areas if their established character is to be retained. Shopping facilities and other services are not intended to be as comprehensive as those situated in the more urban parts of the Shire.

Some Foothills areas do not have fully constructed roads and many roadside verges retain remnant vegetation. The extensive vegetation coverage complements the conservation and habitat values of nearby bushland areas, many of which are included within the Dandenong Ranges National Park. Large areas of the Foothills are not connected to reticulated sewerage.

Rural Townships: Coldstream, Seville, Seville East, Silvan, Healesville, Wandin North, Warburton, Monbulk, Woori Yallock, Yarra Glen, and Yarra Junction

Rural townships are dispersed throughout the Shire, linked by main roads, such as the Maroondah, Melba and Warburton Highways. Separated from the more urbanised areas, many have a distinctive character and serve as an important community focal point and provide a limited source of employment for the surrounding population.

Many larger rural townships (Healesville, Yarra Junction, Yarra Glen and Warburton) have a rustic charm influenced by their scenic rural setting and the prominence of heritage buildings and the retention of an extensive tree canopy. Other smaller centres such as Wandin North, Seville and Woori Yallock are essentially dormitory residential areas with small commercial centres intended to serve local needs. Some rural townships are not serviced by fully constructed roads or connected to reticulated sewerage.

Rural Areas

The rural or green wedge areas are categorised for development primarily through the application of the zones.

Rural Living Zone and Green Wedge A Zones

Land within the Rural Living Zone (inside the Urban Growth Boundary) and Green Wedge A Zone (outside the Urban Growth Boundary) includes a complex patchwork of landscape, land use and subdivision patterns, with varying forms of development. These areas include:

- Residential areas along Mt Dandenong ridge which is an environmentally sensitive area and a prominent feature of the landscape for most of the metropolitan area.
- Buffer areas between the urban and adjoining rural and green wedge land.
- Residential areas in locations relatively remote from urban centres and in many cases subject to significant environmental constraints.
- Several residential areas in the Yarra Valley inappropriate for any further subdivision or development.

Examples such as Launching Place, Wesburn and East Warburton are predominantly residential areas within a rural setting with only a very limited range of commercial and community facilities. These areas play an important role in providing a lifestyle choice for people who want to live in a low density residential area within a bushland setting.

Green Wedge Zone and Rural Conservation Zone

The northern, central and south-eastern parts of the Shire are predominately farming areas including intensive and broad scale farming activities, forestry, and tourism and recreation activities. These areas:
- Contain highly productive agricultural land used for intensive flower, berry and fruit crops, cattle grazing and vineyards which continue to be of major significance to the Shire’s economy.

- Play an important role in protecting the water quality of the Shire, retaining native vegetation and riparian vegetation along watercourses, protecting wildlife habitat and maintaining ecological processes.

- Contain some of the most visually attractive landscapes in the Shire comprising an intricate mix of open valleys, rolling foothills, steep forested land and majestic mountain ranges.

- Provide limited rural and green wedge lifestyle opportunities.

Residential uses in the rural areas often impose undesirable constraints on farming operations, due to concerns about the use of potentially noisy equipment, chemical sprays, bird deterrents and the like. Residential development also increases rural land prices which can affect farm viability.

The Strategic Framework Map

The Strategic Framework Map on the following page shows the application of land use categories. The map illustrates the broad strategy for land use and development including: major activity centres, metropolitan areas, foothill areas, rural townships, housing consolidation areas and rural areas.
LAND USE

Overview

The controls applied to land use in this section reflect the diversity of the Shire and ensure that specific policies are targeted to appropriate areas. Policies in this section delineate the Metropolitan, Foothills, Rural Township and Rural designations when applying policy for residential, commercial and industrial development as well as subdivision.

Residential

Key Issues

- Providing greater housing choice to meet present and future community needs.
- Diversifying housing stock; existing stock is largely 3-4 bedroom detached.
- Facilitating affordable housing options in sustainable locations.
- Ensuring housing is adaptable to the needs of residents as they age and located in areas which minimise risk to older residents.
- Ensuring higher density residential development occurs in identified consolidation areas to maximise investment in facilities and services and employment opportunities.
- Regulating infill residential development in incremental and least changes areas to ensure it preserves and enhances the character of the established residential areas.
- Managing the demand for residential development in scenic, bushland and rural environments to minimise the associated impact on the environment, landscape and agricultural practices.
- Minimising residential development in areas subject to environmental constraints such as fire and landslip.
- Avoiding high infrastructure costs incurred in areas unsuitable for urban development due to environmental risks.

Objective 1 – Housing Location Consolidated Residential Development

To guide residential development into sustainable locations which meet the needs of the community and that are not subject to physical or environmental constraint.

Strategies

- Contain residential development within existing urban zone boundaries.
- Use the residential framework to guide residential development within the urban zones. The Residential Framework identifies areas for housing consolidation, incremental change, least change and low density residential.

Consolidation areas

- Support residential growth and increased densities in Chirnside Park and Lilydale within the Residential Growth Zone areas which are identified as having the best capacity for additional housing.
- Encourage residential infill in the neighbourhood consolidation (General Residential Zone) areas (of Mooroolbark, Kilsyth, Healesville, Yarra Junction, Mt Evelyn and Yarra Glen.
- Ensure higher density residential housing in identified housing consolidation areas is within easy walking distance of shops, public transport, open space and schools and in locations where there is an absence of constraints such as significant vegetation, infrastructure requirements or steeper slopes.

- Ensure multi unit accommodation including retirement villages, residential aged care facilities and co-housing is located where people with restricted mobility can easily access community services and transportation facilities. These are most likely to be within or close to activity centres.

**Incremental Change Areas**

- Identify incremental change areas by applying the Neighbourhood Residential Zone to recognise areas that will undergo some incremental development but predominantly maintain a low density residential character.

- Within the incremental change areas, guide housing to locations which do not adversely impact the natural, built-form or landscape amenity or compromise important environmental values.

- Ensure new development is at a scale consistent with the landscape and neighbourhood character of the incremental change areas.

- Avoid incremental development in areas that are not walkable to shops, public transport and public open space.

- Avoid new housing in locations that are constrained by vegetation, a lack of infrastructure or have steep topography.

- Accommodate modest incremental development in suitable locations in rural and foothill townships identified in Schedule 6 to the Design and Development Overlay.

- Limit additional housing in incremental change areas to ensure new development is consistent and compatible with the existing character of the neighbourhood.

**Least Change Areas**

- Identify least change areas by applying the Neighbourhood Residential Zone and the Schedule 5 to the Design and Development Overlay to limit additional housing in these areas and protect existing environment and landscape characteristics and focus new housing in more sustainable locations that have better access to services and facilities.

- Discourage additional residential development in least change areas that will impact on existing environmental and landscape values.

- Maintain the existing low density single dwelling residential character as the primary function of least change areas.

- Recognise areas of high environmental risk in the planning scheme to reinforce the need to discourage additional dwellings in least change areas.

**Low Density and Rural Residential Areas**

- Ensure land in the Low Density Residential, Green Wedge A and Rural Living Zones remains committed to low density, single dwelling residential use as the primary function of the area.

**Policy Guidance**

Proposals for residential use and development of land should meet the following criteria:

- On land within the Low Density Residential Zone, a second dwelling only be constructed on a site which has an area of at least 8,000 square metres.

- A maximum of only one dwelling be established on any lot or parcel of land within a Rural Living Zone.
**Implementation**

Apply the Residential Growth Zone and General Residential Zone to identify housing consolidation areas that are located within activity centres that have good access to services and facilities including public transport.

Apply the Development Plan Overlay to consolidation areas in Chirnside Park to provide a framework for the redevelopment of key sites consistent with the Chirnside Park Urban Design Master Plan September 2010.

Apply the Design and Development Overlays 7 and 8 to housing consolidation areas to encourage well designed higher density residential development in designated activity centres.

Apply the Neighbourhood Residential Zone and the Design and Development Overlay Schedule 6 to identify incremental change areas for rural townships and metropolitan areas.

Apply the Neighbourhood Residential Zone and the Design and Development Overlay Schedule 5 to identify least change areas that are remote from services and facilities and are subject to environmental and landscape constraints.

Apply the Low Density Residential Zone to those parts of Foothills Areas and Rural townships that are subject to significant environmental and other constraints to further development.

**Objective 2 – Housing Diversity**

To encourage a diversity of dwelling types to meet the needs of the population.

**Strategies**

- Promote redevelopment and greater housing diversity in identified consolidation areas (RGZ) within the major activity centres of Lilydale and Chirnside Park. These centres have the capacity to cope with increased densities and offer convenient access to town centres, commercial and community facilities.

- Encourage higher densities in consolidation areas in the General Residential Zone which offer a choice of transportation options to reduce car dependency.

- Provide opportunities for increased densities on aggregated lots within consolidation areas that have walkable access to shops, public transport and community facilities.

- Encourage the provision of affordable housing components in new developments in identified consolidation areas and other locations that provide convenient access to town centres, commercial and community facilities.

- Promote subdivision that supports large lots in consolidation areas.

- Encourage 1 and 2 bedroom dwellings in all multi unit developments.

- Ensure retirement villages are designed to include a significant proportion of 1 and 2 bedroom units.

- Encourage dwellings that are accessible for people of all abilities.

- Support proposals for co-housing, retirement villages and residential aged care facilities in locations practical to the needs of an aging population and away from areas of environmental risk.

**Implementation**

Include areas designated for change in the Residential Growth Zone and the General Residential Zone. Include incremental and least change areas within the Neighbourhood Residential Zone and apply the Design and Development Overlay to guide subdivision.

Apply the Design and Development Overlay to consolidation areas to encourage lot consolidation, housing diversity and better housing design.
Objective 3 – Residential Accommodation in Commercial Areas

To provide housing choice and increase activity levels within commercial centres.

**Strategies**

- Encourage shop top housing where the potential exists for residential accommodation to be constructed in conjunction with new retail or business developments and where the resultant building scale is compatible with the local urban character.
- Encourage housing in commercial centres to take advantage of existing infrastructure and under-utilised sites.
- Ensure future residential opportunities can be incorporated into commercial developments.

**Policy Guidance**

Proposals for residential use in commercial areas should meet the following criteria:

- Residential accommodation does not occupy the ground floor or street frontage within the core commercial and retail area of the centre.
- The design, scale and density of the residential accommodation be compatible with the environmental and built character of the centre, and be responsive to the land capability of the site.
- That entrances and private outdoor open space are located to avoid conflicts with commercial businesses, particularly service areas at the rear of commercial premises.
- The residential accommodation provide sufficient off street parking.

**Implementation**

Apply the appropriate commercial zones or Mixed Use Zone that provide for residential development to be established in retail and commercial centres.

Objective 4 – Green Wedge Residential

Provide for residential use that reinforces the rural and landscape character of the rural areas and does not lead to the loss of productive agricultural land.

**Strategies**

- Encourage the location and siting of residential uses to respond to the characteristics of the site and the surrounding area.
- Maintain the existing low density of residential development in the rural areas and protect the rural character and environmental and visual qualities of the surrounding area.
- Encourage the location and siting of residential uses to avoid potential conflict with ongoing farming operations.
- Protect and enhance environmental and landscape values, particularly those derived from remnant indigenous vegetation.
- Support the continued use of the rural areas for farming and other agricultural pursuits that are compatible with the environmental features of the area.
- Provide for dwellings which are required to manage the land for sustainable agricultural use in the Rural Conservation and Green Wedge Zones.
- Provide for new residential accommodation in the Intensive Farming areas, only if it is directly associated with the operation and management of the land for agriculture.

**Policy Guidance**

When deciding on residential applications in rural areas consider as appropriate that:
In areas which are included in a Significant Landscape Overlay or Wildfire Management Overlay (in the Green Wedge and Rural Conservation Zones), building envelopes be sited to enable provision of utility services with minimal disturbance to established vegetation or other environmental features.

In the Rural Conservation and Green Wedge Zones, all buildings, including waste treatment and effluent disposal facilities associated with the dwelling, be located outside any land liable to flooding and be at least 30 metres from a watercourse and sited to avoid any detriment to the ecology of any stream or watercourse on or near the site.

The siting of a proposed dwelling allow for the maximum retention of vegetation, particularly remnant vegetation and other healthy trees above five metres in height.

In the Intensive Farming areas (GWZ1 and GWZ3) provide for new residential accommodation only if it is directly associated with the operation and management of the land for agricultural uses.

In the Rural Conservation Zone and Green Wedge Zones, any dwellings not associated with agricultural use, and other residential uses may be sensitive to disturbance from agricultural activities, not be located on sites where the residential use either:
- Is likely to be adversely affected by ongoing agricultural operations.
- Would limit the sustainable agricultural operations being carried out on the land.

Implementation

Apply local planning policy for Vegetation Protection to guide decisions about vegetation removal in residential areas that contain extensive tree canopy cover, remnant vegetation or other significant exotic vegetation.

Apply under Clause 52.03, a permit requirement for the removal of remnant vegetation throughout all rural and green wedge areas.

Apply appropriate Green Wedge zones throughout rural and green wedge residential areas which establish subdivision controls that will ensure that any additional lots will be of sufficient size to provide for the long term sustainability of environmental values on that land and the area surrounding it.

Include privately owned rural and green wedge land that retains extensive areas of remnant vegetation within the Rural Conservation Zone within which the specified environmental outcome is to provide for the long term protection of remnant vegetation and other environmental values.

Include the townships in the Dandenong Ranges within the Green Wedge A Zone and Significant Landscape Overlay, in recognition of the special attributes and environmental and other development constraints that apply within these areas which limit scope for more intensive development.

Further provisions relating to the establishment of dwellings in rural areas are found in Clause 51.03 and the schedule to that clause.

Residential Framework Map

The map on the following page depicts the hierarchy of residually zoned land in the Shire.
Residential Framework map
Commercial - Objectives, Strategies, Policy and Implementation

Key Issues

- Commercial centres are important to local communities and there is a need to consolidate commercial uses in these areas.
- Tourism contributes significantly to the economy of the Shire.
- A significant amount of parkland is in public ownership and these areas are becoming increasingly popular with people interested in ‘environmental experiences’ such as bush walking or mountain biking.
- Small scale tourist accommodation is creating issues with residential amenity and environmental features.
- There is growing demand for eating and overnight accommodation facilities in the Yarra Valley.
- The challenge is to achieve (and maintain) a delicate balance between tourism, the environment and protecting the amenity of the existing residents.

Objective 1 - Commercial development

To promote the future growth and prosperity of the Shire.

Strategies

- Encourage business development, tourism and agricultural industries, which recognise and reinforce the rural and green wedge character and outstanding natural assets of the Shire.
- Facilitate use and development of business opportunities in the priority industry sectors of food growing and processing; floriculture, viticulture and winemaking, and timber production and processing.
- Identify preferred sites in appropriate locations for specific industry, service and commercial sectors.
- Implement structure plans for activity centres, particularly the major activity centres of Lilydale and Chirnside Park.
- Provide clear advice about the preferred forms of business development, to reinforce the predominantly rural and green wedge character and image of the Shire.
- Initiate zoning and performance based provisions which promote environmentally sensitive management practices and ensure a high standard of infrastructure.
- Minimise off-site impacts to the amenity of local communities, and satisfy other relevant planning criteria for such activities.
- Protect surrounding residential and rural and green wedge areas from adverse visual and amenity impacts of business encroachment.
- Consider the inclusion of residential options in commercial development proposals within housing consolidation areas.

Policy

It is policy that:

- Commercial centres are the preferred location for retail, business and community services and encroachment of these uses into other areas be discouraged.
- Any proposed land use reinforces and enhances the established role of the centre.
- The proposed use be located on a site that can provide adequate car parking without compromising the character and appearance of the built and natural environments.
- Traffic generated by a proposed use be able to be accommodated without compromising the functioning of the centre or detracting from the residential amenity of the surrounding area.
- Shops and business uses in the core area of the centre provide a continuity of retail display windows at ground floor level.
- Retail facilities (other than a convenience shop), tourist facilities, recreation facilities (other than on public land) and places of assembly not be established in Foothills Residential Areas, Green Wedge areas, Rural Conservation Zone or other residential areas, particularly those which have environmental or amenity constraints.
- Any proposal to establish a commercial use in a Rural Living Area:
  - Demonstrate why the use needs to be located in such an area rather than within a commercial or industrial area.
  - Not lead the transformation of the area to a quasi-commercial area or form ribbon commercial development along main or tourist roads.
  - Not lead to the fragmentation of the current land holding pattern.
  - Be provided with setbacks from common boundaries with adjoining residential uses that ensure the protection of residential amenity and, where appropriate, provide for the establishment of effective landscaping and screening buffers.

Restaurants
- The preferred locations for restaurants are any of the following:
  - In urban areas or rural townships that are within or adjoining an established commercial centre (and are within the Urban Growth Boundary).
  - Where the restaurant will be associated with a visitor accommodation facility or other tourist facility providing for more than 30 people.
  - Where the restaurant will be associated with an established vineyard and winery which is producing wines from grapes or fruit grown predominantly on the site.
- Restaurants be located to not contribute to a concentration of similar land use activities which would alter the established residential character of the surrounding area or detract from its residential amenity.
- Restaurants have direct access to a sealed road or formed gravel road which is capable of accommodating anticipated traffic levels without causing any adverse effect on local residential amenity.
- Restaurants be designed and sited to protect the amenity of residents and the visual and environmental qualities of the area, and to achieve the primary purpose of the zone within which the land is situated.

Implementation
Apply policy and strategies for tourism use that identify criteria for assessment of individual proposals.
Apply planning policy for Timber Industry and Horticultural Structures (Igloos and Glasshouses) that articulate Council’s preferences and guide opportunities for business development in various industry sectors and establish criteria to avoid adverse off-site effects from business activities.
Applying appropriate commercial zones to established town centres where concentrations of commercial activity are to be encouraged.
Objective 2 – Bulky Goods

Provide for the retailing of bulky goods and other service industrial uses in appropriate locations within established centres.

Strategies

- Bulky goods retailing and service industrial activities be concentrated in specifically zoned areas on the fringe of established commercial centres or adjacent areas already zoned for those purposes in areas where they will not conflict with other land use objectives.

Implementation

Apply the Commercial 2 Zone to areas with prominent visual exposure to main arterial roads on the fringe of commercial centres. The intent of this zone is to provide for the establishment of retail premises primarily engaged in the sale of bulky goods that would not be appropriately located in core retail areas.

Objective 3 - Local Employment

To facilitate local employment opportunities within the small townships dispersed throughout the Shire, especially opportunities based on the use of information technology and telecommunications in business activities or in servicing local needs.

Strategies

- Encourage and facilitate the establishment of businesses which have little or no impact on local amenity or the environment, and which provide employment and business opportunities, especially for people living in the small townships.

- Provide for small scale home based businesses which provide local employment opportunities in Rural Townships.

Implementation

Applying the Industrial 3 Zone and Mixed Use Zone within a range of rural townships to provide opportunities for small scale local service industries.

Objective 4 Tourism

To recognise and facilitate the development of appropriate tourism opportunities, especially those that integrate with and promote the agricultural, environmental and conservation attributes of the Shire.

Strategies

- Promote small low intensity tourist accommodation and tourist facilities that reinforce established heritage characteristics, relate to agricultural production on the land or provide facilities related to outdoor recreation in areas of natural beauty.

- Encourage tourist accommodation and other tourist facilities in town centres, where it is consistent with the established built form/character of the town or is related to rural and green wedge activities and natural features in the surrounding area.

- Service the needs of people visiting the natural features of the area such as the Dandenong Ranges and Mountain Forests, other national parks and the winter snowfields.

- Enhance the established rural/heritage character of townships such as Healesville, Warburton and Yarra Glen.

- Provide retail and display outlets, especially in the rural townships, for products derived from the primary produce of the area.

- Promote Warburton township for tourist accommodation, facilities and attractions for visitors, especially development based on the health resort industry.
• Improve links between the Yarra River and the Lilydale-Warburton Railway Trail, for the townships along the Warburton Highway Corridor, as well as promoting tourist trails through to Marysville and Healesville.

• Reinforce the role of Warburton and Healesville as the service base for tours to the mountain attractions, Mt Donna Buang snowfields and the Yarra Ranges National Park, and establish better quality visitor services and information centres promoting the various activities and experiences in Yarra Ranges.

• Encourage processing and related tourist and retail activities linked with the viticulture and winemaking sector to locate in townships in the main growing areas such as Yarra Glen, Healesville, Lilydale, Woori Yallock and Seville.

• Attract new tourist accommodation, especially in Lilydale, Warburton, Healesville, Yarra Glen, Coldstream and other towns fulfilling a tourist role.

Policy
It is policy that:

• Tourism and recreation proposals demonstrate that they are consistent with at least one of the following:
  - They promote the established heritage or rural village character of the township in which they are to be located.
  - They are related to the promotion and sale of agricultural products from the land on which they are to be sited or from land in the surrounding area.
  - They provide facilities to enable visitors to experience outdoor recreation activities in areas of natural beauty and which are in keeping with the maintenance of agricultural and rural pursuits, visual and environmental qualities and residential amenity.

• Encourage tourism and recreation uses that:
  - Are compatible with conservation objectives.
  - Minimise adverse impacts on the amenity of local residents.
  - Relate to their immediate environment, particularly the natural environment.
  - Enhance the predominately rural and green wedge character of the Shire.

• Major tourist facilities be located:
  - in established townships on sites which can provide convenient access to a full range of retail, community and other support services.
  - in rural areas on sites where the proposed facility will be associated with an agricultural activity being carried out on the land.

*(Major facilities are defined as occupying a site of more than 2 hectares or which provide for more than 50 visitors at one time).*

Accommodation
When considering applications for accommodation it is policy that the following is considered appropriate:

• The preferred location for accommodation is within the urban areas or rural townships (within the Urban Growth Boundary) in locations that:
  - Have access to a properly constructed road.
- Not contribute to a concentration of similar land use activities that would alter the established residential character of the surrounding area.

- Enable the facility to be accommodated without causing any adverse effect on the character and amenity of adjoining and nearby areas.

- Visitor accommodation (other than for five people or less) not be established in the Foothills Residential Areas.

- Visitor accommodation (other than for six people or less) not be established in the Rural Living Zone.

Implementation

Applying appropriate commercial zones to established town centres where concentrations of commercial activity are to be encouraged.

Objective 5 – Tourism in Green Wedge Areas

To provide for low impact tourist facilities which complement the distinctive rural and green wedge character and natural features of the Shire.

Strategies

- To reinforce the linkages between agricultural production (including viticulture) and tourism, while protecting the landscape amenity of the Shire’s rural and green wedge areas.

- Provide for integrated tourist retail facilities in rural and green wedge areas, where these activities will reinforce the predominant use of the area for agricultural production and maintain the rural and green wedge character of the area.

- Encourage the provision of visitor accommodation and other tourist facilities to be consolidated within established townships, where a range of supporting services and facilities are available.

- Encourage visitor accommodation in rural and green wedge areas that does not detract from the amenity of the locality and will not conflict with the ongoing use of the land or nearby rural and green wedge land for farming purposes.

- Provide for tourist facilities in rural and green wedge areas only where any development associated with the use is designed to be visually unobtrusive and to complement or reinforce the established rural and green wedge character of the area.

- Encourage tourism that recognises the intrinsic value of existing natural vegetation and its value as a refuge or habitat for wildlife.

- Promote the recreation and tourism activities and facilities in the Upper Yarra Valley to increase its attractiveness as an alternative to the Dandenong Ranges.

It is policy that:

- Preferred sites for commercial and other non residential uses in the Green Wedge A Zone have direct access to a sealed road, and be clustered within or adjoining an established commercial or industrial area where the proposed use will be compatible with other uses in the locality.

- Commercial uses not encourage the fragmentation of farming land, or introduce activities which may conflict with the present or future operations of surrounding farms and other agricultural activities.

- Not lead to the transformation of a rural or green wedge area into a quasi-commercial area.

- Be provided with setbacks from common boundaries with adjoining residential uses that ensure the protection of residential amenity and, where appropriate, provide for the establishment of effective landscaping and screening buffers.
Accommodation

It is policy that when considering applications for accommodation (including six people or less) within the Green Wedge Zone, Rural Conservation Zone or Green Wedge A Zone the following apply:

- Be associated with a dwelling or other permitted use of the land, such as a restaurant or tourist facility.
- Be on a site that will enable the proposed use to be integrated with the character of the surrounding area with minimal impact on landscapes and vegetation.
- Be sited and designed to avoid the removal of established trees or indigenous vegetation and protect the residential amenity of any adjoining or nearby residential area.
- Be located to avoid potential conflict with normal farming operations on adjoining or other nearby properties.
- Only be established in an area of intensive agricultural production if the proposed accommodation will be associated with intensive agricultural production carried out on the land.
- Not contribute to a concentration of similar land use activities that would alter the established character of the surrounding area or detract from its residential amenity or rural and green wedge character.
- Have direct access to a sealed road or a formed gravel road which is capable of accommodating anticipated traffic levels without causing any adverse effect on the condition of the road.
- Within the Mt Dandenong Ridge Area preference will be given to proposals that are located within a single dwelling on the land and will not require the addition of a separate building providing self-contained accommodation for visitors.

If the proposal is to accommodate more than six people it must also:

- In the Green Wedge A Schedule 1 (GWA1) be on a site that is at least two hectares or otherwise large enough to provide effective visual screening and buffering of the proposed use from adjoining land and maintain the overall character of the area.
- On the Mt Dandenong Main Ridge Area not be for more than 30 visitors.
- Tourist hostels providing an affordable form of accommodation for people such as bushwalkers, backpackers and others be of a small scale and restricted to locations in or near a commercial centre close to public transport and a range of retail and other visitor services.

Implementation

Applying the above policy for tourism that establishes preferred locations for tourist facilities and provides for the establishment of tourism facilities only on sites in rural and green wedge areas where there is a demonstrated capability of the site to accommodate the use without detriment to adjoining or nearby land.
Agriculture - Objectives, Strategies, Policy and Implementation

The rural areas of the Shire comprise the following four broad sub areas:

- Intensive Farming Area – pockets of remnant bushland within these areas are an important feature of the rural landscape and local environment that will need to be protected from further incremental clearing. The Intensive Farming Area comprise land shown on the zone maps as being included in:
  - Schedule 1 to the Green Wedge Zone (GWZ1), within the area generally bounded by Warburton Highway, Woori Yallock Creek and Silvan-Monbulk Road.
  - Schedule 3 to the Green Wedge Zone (GWZ3), within the area generally centred around Lusatia Park Road - Gembrook Launching Place Road, Hoddles Creek.

- Broadacre Farming Areas comprise land shown on the zone maps as being included in Schedule 5 to Farming Zone (FZ) and Schedules 4, 5 and 6 to the Green Wedge Zone (GWZ4, GWZ5 and GWZ6).

- Rural Landscape Areas comprise land shown on the zone maps as being included in Schedule 1 to the Green Wedge Zone (GWZ1), other than within the area generally bounded by Warburton Highway, Woori Yallock Creek and Silvan-Monbulk Road, and in Schedule 2 to the to the Green Wedge Zone (GWZ2).

- Environmental Rural Areas comprise land shown on the zone maps as being included in Schedules 1, 2 and 3 to the Rural Conservation Zone (RCZ1, RCZ2 and RCZ3).

Some specific policy is applied based on these designations.

Key Issues Agriculture

- The agricultural areas of the Shire support intensive horticulture and floriculture activities of State significance, including nurseries, cut flowers, fruit and nuts, grapes, berries and vegetables, and other value added primary activities. Table wines of national and international repute are produced in Yarra Ranges. Extensive areas of high quality grazing pasture continue to be used for a range of agricultural activities.

- Future planning for rural and green wedge areas of the Shire will need to respond to rural and green wedge – urban interface issues, structural changes in the agricultural sector including technological change.

- Agriculture will continue to play an integral part in protecting and promoting the Shire's landscape character and economic base. Its future needs to be protected and enhanced with potential for:
  - Sustainable and well managed agricultural and farming activities.
  - Value-adding to primary and other produce grown in the Shire.
  - Integration of horticulture and agriculture with tourism.

- The retention of farming is vital to the ongoing management of rural and green wedge areas. Council and the community, as a whole, will need to be adaptable in responding to new and innovative sustainable agriculture.

Objective 1 Agriculture

To maintain and strengthen the agricultural role of the Shire.

Strategies

- Retain agricultural production as a predominant use in the Silvan Agricultural Area, Upper Yarra Valley and Hoddles Creek, Dixons Creek and Northern Valleys, Yarra Valley Plains, Warramate Hills and the Yarra Valley Plains, where there are no over-riding environmental values that impose a greater priority.
Retain options for the future use of non-urban land for a range of agricultural activities and prevent any further fragmentation of rural and green wedge area lots.

Provide for alternative agricultural production and rural and green wedge activities (to those that have traditionally been applied), especially in the Macclesfield/Yellingbo Rural Areas and Dixons Creek/Upper Yarra Valley, and particularly where it provides for the protection of productive agricultural land.

Encourage innovative crops and production techniques, particularly in the Silvan Agricultural Area.

Provide for rural industries servicing the agricultural activities and value adding local produce in areas such as the Silvan Agricultural Area.

To create business opportunities for more value adding enterprises associated with the food growing, floriculture and other agricultural/horticultural sector.

Encourage value added food processing to locate in established industrial zones, and selected industrial zones in townships close to the main production areas or where the enterprise is tourist/retail sales oriented and is appropriately located on a site that will not conflict with other objectives for rural and green wedge areas.

Encourage packing and processing plants for the floriculture and horticulture sectors in or adjoining the main growing areas or within nearby towns such as Monbulk.

Retain broadacre grazing as the predominant land use in the GWZ4 through GWZ6 areas while providing opportunities for other agricultural activities, including wine production.

In the Rural Conservation Zone ensure that the use of land for agriculture does not lead to the loss of indigenous vegetation or detract from other environmental features of the area.

In the Rural Conservation Zone ensure that any non agricultural land use which needs to locate within the area, rather than within a township, will not have a detrimental impact on the environment or amenity of the area, but will contribute to the protection and enhancement of the ecological systems on the site.

Support the continued use of the rural areas for farming and other agricultural pursuits that are compatible with the environmental features of the area.

In the intensive farming areas provide for rural industries and rural stores which are directly associated with primary produce grown within the area.

**Policy**

It is policy that:

Cleared land in the Rural Conservation Zone remains committed to agriculture as the primary function of the area and be managed to ensure its long term use for sustainable agricultural activities. This recognises, as does the Regional Strategy Plan, that there is generally sufficient cleared land within the Shire to provide for future agricultural, including farming activities.

A rural industry not be located within Rural Conservation Zone and only be considered in other rural or green wedge zones if either:

- It will be located within or adjoining an area of intensive agricultural use and will provide for the service or repair of equipment used in agricultural production.
- It processes primary produce from land within the immediate area in which the use will be located.

Any proposal to establish intensive animal production, pig farm, poultry farm, or poultry hatchery activities in rural areas demonstrate:

- The proposed development can be integrated into the rural landscape without detriment to the landscape character of the area and will not require the removal of indigenous vegetation.
That the site is capable of accommodating the proposed use without detracting from the residential amenity of any adjoining land.

That the site provides sufficient area to ensure that the proposed buildings and vehicle access are adequately screened and separated from any adjoining residential uses, waterways or any other sensitive environmental features or land uses.

That the site does not contain a soil resource that would otherwise be significant for productive agricultural purposes.

That the site has direct access to a constructed road that is adequate to manage the level of traffic likely to be generated by the proposed use.

All effluent generated by the proposed use can be satisfactorily treated and disposed of on site.

**Implementation**

Applying the Green Wedge Zone to areas of mostly cleared land used for a range of agricultural and other rural and green wedge activities.

Applying the Rural Conservation Zone to areas of predominantly privately owned rural and green wedge land which contains extensive areas of remnant vegetation.

Applying the Green Wedge A Zone to areas which have been extensively subdivided into predominantly rural residential lots.
Industry – Objectives, Strategies and Implementation

Rural industry appears in the previous section, Agriculture.

Key Issues
The industrial areas of the Shire are an important source of local employment and economic activity.
The established areas still retain substantial pockets of vacant undeveloped land which continue to provide opportunities for additional industrial development.
Industrial land is a limited resource in the Shire and opportunities to accommodate a range of industrial and related land uses need to be protected from the intrusion of other uses that do not require an industrial zoned site.

Objective 1 – New Industry
To attract new industrial enterprises into existing industrial areas in the Shire, and to help consolidate the established industrial base of the Shire.

Strategies
- Recognise the importance of the established industrial base located within the Shire and promote opportunities for further development, redevelopment and restructuring of these areas
- Accommodate a range of industrial land uses to meet local service needs and to create employment opportunities in the Shire and which do not detract from the appearance or amenity of adjoining or nearby land.
- Provide appropriately zoned locations for the establishment of rural service industries or other rural industries associated with the storage, packing and processing of agricultural produce.
- Ensure that land uses in industrial zones are managed to avoid harmful off-site effects or loss of amenity to nearby residential and other sensitive land uses.
- Land zoned for industrial purposes in the Monbulk and Silvan area be used to provide for support industries and services to the intensive agricultural, horticultural and other rural activities being carried out in the area.

Policy
It is policy that when considering applications for industrial use the following is considered appropriate:
- Industrial land uses be located on existing vacant industrial zoned land, rather than rezoning land to facilitate an industrial or related use.
- Industrial uses proposed to be located on a main road or a tourist route be of a type that requires man road exposure and be designed to enhance the appearance of the area.
- If possible, similar industrial uses and showrooms be grouped together to benefit from the co-location of similar uses.
- The proposed use provides sufficient off-street parking, with car access being located in order to minimise the need for trucks to travel through local residential streets.
- Industrial uses established in rural townships or other predominantly rural areas comprise either the storage, packing and small scale processing of local agricultural products or the servicing of plant or equipment used in local agricultural production.

Implementation
These strategies will be implemented by:
Applying planning policy for Industrial Areas that seeks to protect the industrial land resource and encourages the consolidation of the industrial development within areas zoned for industrial use.

Applying the Industrial 1 Zone to the main areas of established industrial development and the Industrial 3 Zone to the various smaller pockets of industrial development where the proximity of nearby sensitive uses requires careful management of future industrial use and development.

Apply the Industrial 3 Zone to several sites in the Silvan and Monbulk areas, to provide locations for industries serving local intensive agricultural activities.

**Objective 2 – Extractive Industry**

To maximise the use of existing extractive industry resources within the Shire, while prohibiting the establishment of new quarries in environmentally sensitive areas.

**Strategies**

- Provide for the continued use and development of existing extractive industry resource areas in the Shire, subject to proper environmental and amenity assessments and controls.
- Ensure that the establishment of new extractive industries are prohibited in areas of natural significance and environmental sensitivity.
- Ensure the thorough consideration of potential environmental implications of any proposal to expand an existing extractive industry.

**Implementation**

Applying the local planning policy for Vegetation Protection that requires the protection of residential amenity, scenic landscapes and environmental features.

Including established extractive industries in a Special Use Zone to identify quarry sites and maintain appropriate control over future operations and expansion proposals.

**Objective 3 – Timber**

To provide for the continued support of the timber industry in the Shire, and to encourage a viable industry which is based on, and adds value to, the timber resources that are available to the Shire.

**Strategies**

- Encourage and facilitate the planting of hardwood timber and agroforestry on cleared private land, particularly on degraded land not suited to other productive agricultural uses.
- Promote the Shire as a strategically located centre for value-adding processing of timber resources.
- Facilitate the establishment of value adding timber processing in appropriate locations in the Shire, which meet specified site selection and development criteria for sawmills and timber processing centres.
- Provide for the implementation of the outcomes in the Yarra Ranges Forest Policy (Our Forests: A Shared Responsibility).

**Implementation**


Applying the Industrial 3 Zone to a number of sites in rural townships to recognise established timber processing facilities and sawmills on those sites.
Gaming Machines - Objectives, Strategies and Implementation

Objective
To ensure gaming machines are located to minimise adverse social and amenity impacts to the community and to meet local needs.

Strategies
- Encourage gaming machines in venues which:
  - Are located where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities;
  - Have a range of entertainment and leisure options;
  - Offer social and recreational opportunities other than gaming as the primary purpose of the venue.

- Discourage the location of gaming machines:
  - In close proximity to vulnerable communities in the municipality;
  - In areas that have high levels of pedestrians that can lead to ‘convenience gaming’ where the location of electronic gaming machines increases the likelihood of impulse decisions to play.

- Ensure that the internal layout of venues minimises problem gambling.

- Protect the amenity of surrounding neighbourhoods.

Implementation
Apply local policy to guide the location of new gaming machines, discourage convenience gambling, facilitate the provision of supportive environments within venues and protect the amenity of surrounding neighbourhoods.

Prohibit gaming in strip shopping centres and shopping complexes under the provisions of Clause 52.28.
SETTLEMENT – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

Key Issues

- Activity centres in the Shire range in size from large suburban centres on the metropolitan fringe, to those serving towns and smaller settlements in the rural and green wedge areas.
- These activity centres provide a range of retail, commercial and other community services and are important sources of employment opportunities for the local population.
- The Shire’s two major activity centres, at Lilydale and Chirnside Park, offer significant opportunities for more intensive redevelopment including employment generating commercial uses and higher density housing.

Objective 1 - Sustainable Towns

To establish sustainable and attractive townships which can support a range of residential, commercial, retail, community and recreational facilities and services.

Strategies

- Enhance the economic viability, safety and efficiency of the towns.
- Encourage activities which reinforce the character and function of each centre while catering for local and visitor needs.
- Set strategic directions for future development and changes in land use.
- Encourage small business and their use by local communities.
- Promote good design and a high quality level of amenity which helps to define and enhance the individual character of each town.
- Consider and respond to needs for infrastructure.
- Provide for quality retail, commercial and community facilities which cater for consumer needs.
- Provide adequate design and services that allow rapid and effective response by emergency services.
- Retain compact townships with their distinct village-like character and environmental features.
- In rural townships, provide for small scale home businesses which provide local employment opportunities.
- Prevent the intrusion of uses that would fragment the form and layout, and that are not complementary to the role and function, of the centre.
- Cluster land uses that complement the role and function of the centre.
- Encourage land uses that will maintain and enhance the viability of the centre.
- Contain and consolidate existing commercial centres to improve the centre’s convenience to users and minimise any impacts or intrusions into adjoining residential areas or natural environments.
- Develop the continuity of shopping activity at street frontages in the core retail area.

Implementation

Applying local planning policy for Advertising Signs that seeks to minimise visual clutter from signs and ensure that they are consistent with any urban design theme established for the area.

Applying appropriate commercial zones to areas of commercial development under which a permit will be required for new development and consideration will need to be given to the relevant local planning policies.
Apply the Design and Development Overlay for Mount Evelyn to ensure development reinforces and strengthens the distinctive character of the Mt Evelyn town centre.

Apply the Design and Development Overlay to Mooroolbark to implement the Mooroolbark Activity Centre Structure Plan 2011.

**Objective 2 – Major Activity Centres**

To strengthen the role of Lilydale and Chirnside Park, as the Shire’s two major activity centres, in providing integrated clusters of well designed and conveniently located business, employment and housing opportunities.

**Strategies**

Strategies to achieve this objective include:

**Lilydale Activity Centre**

- Reinforce Lilydale’s role as an activity centre that provides a wide range of retail, employment, business, community, entertainment and transport services.
- Enhance Lilydale’s unique identity through the protection of identified heritage elements and the encouragement of new development that adopts sustainable design principles and provides an interesting and attractive environment for residents, employees and visitors to the centre.
- Encourage the provision of additional housing at higher densities within the Lilydale activity centre to increase the diversity of conveniently located accommodation available within the Shire.
- Reinforce a strong and consolidated retail core area for the Lilydale activity centre and avoid the further dispersal of retail activities.
- Encourage the redevelopment of key sites within the Lilydale activity centre for mixed business and high density residential use.
- Recognise distinctive attributes of Lilydale that give it a sense of identity and ensure that new development is designed to complement and reinforce these attributes.
- Facilitate the further expansion of the University and promote its integration with the Lilydale activity centre.

**Chirnside Park Activity Centre**

- Create a vibrant and cohesive activity centre comprising a compact town centre and supported by surrounding precincts of mixed use and higher density residential development.
- Encourage innovative development that adopts sustainable design principles to achieve a desirable environment for residents, employees and visitors, and create a distinctive and attractive gateway to Yarra Ranges.
- Encourage the comprehensive redevelopment of key sites and other underutilised industrial land to provide a diverse range of employment opportunities and community services.
- Encourage the provision of additional housing at higher densities to increase the diversity of conveniently located accommodation within Yarra Ranges.
- Design roads and other public spaces that provide a safe, accessible and attractive circulation network that reduces the reliance on cars, and provides strong linkages within the activity centre and to surrounding neighbourhoods.
Create a boldly landscaped boulevard along the Maroondah Highway that provides pedestrian and bicycle linkages within the activity centre and the wider open space and recreational trail network.

Provide additional public open space in strategic locations to meet the needs generated by additional residential development and increases in employment within the activity centre.

Implementation

Chirnside Park Activity Centre

Apply a local planning policy that gives effect to the Chirnside Park Urban Design Master Plan September 2010.

Apply the Commercial 1 Zone to the precinct designated as the town centre and retail hub of the activity centre.

Apply the Commercial 1 Zone to precincts where commercial and entertainment uses are encouraged to be the predominant activity.

Apply the Commercial 2 Zone to precincts where bulky goods retailing is expected to remain the predominant activity.

Apply the Mixed Use Zone to precincts where a combination of commercial, entertainment and higher density housing activities are encouraged.

Apply the Residential Growth Zone-, in conjunction with a Development Plan Overlay, to precincts where higher density residential development is encouraged.

Apply the General Residential Zone to land that is encouraged to be redeveloped for residential use in a form that is compatible with the adjoining established residential neighbourhoods.

Apply the Industrial 3 Zone to precincts where industrial and bulky goods retailing is expected to remain the predominant activity in accordance with the recommendations of the ‘Yarra Ranges Industrial Areas Review May 2010’.

Apply the Development Plan Overlay to provide a framework for the redevelopment of each key development site in a form that is consistent with the Chirnside Park Urban Design Master Plan September 2010.

Apply the Design and Development Overlay to guide the design of future development of other sites in the activity centre in a form that is consistent with the Chirnside Park Urban Design Master Plan September 2010.

Apply the Development Contributions Plan Overlay to ensure the provision of appropriate community infrastructure to support anticipated future development within the activity centre.

Apply the Environmental Audit Overlay to ensure that potential soil contamination issues are addressed prior to the use of the land for residential or other sensitive land uses.

Apply the Special Building Overlay or a Land Subject to Inundation Overlay to specific areas within the activity centre that are subject to flooding.

Lilydale Activity Centre

Applying appropriate overlay controls to the residential precincts within the Lilydale Activity Centre structure plan to ensure new residential development achieves appropriate design outcomes and respects valued neighbourhood characteristics.

Applying a Design & Development Overlay to the commercial precincts in the activity centre to provide clear design guidance for new development.

Applying a Local Planning Policy to promote consolidation of business uses within commercial precincts and provide opportunities for higher density residential development.
Other actions

Coordinating through the structure plan process, the provision of capital works for townscape improvements and other infrastructure works.

Cooperating with local traders and other interested parties in initiating and implementing projects to achieve improvements to the appearance and operation of the activity centres.

Objective 3 – Development within the Mixed Use Zone (outside of Major Activity Centres)

Recognise specific sites on the fringe of established commercial centres that offer opportunities to accommodate a range of commercial and residential uses.

Strategies

- Ensure that new use and development within any Mixed Use Zone outside of a Major Activity Centre:
  - Is effectively integrated with any adjoining commercial centre.
  - Is compatible with and complements other land use and development both within the zone and on adjoining and nearby land.

Policy

It is policy that the use of land within any Mixed Use Zone outside of a Major Activity Centre:

- Recognise, and be compatible with, any predominant land use character of land within the zone.
- Comprise commercial or residential uses that will complement the range of facilities provided within any adjoining or nearby commercial centre.
- Any proposed use or development of land be designed to:
  - Ensure consistency with any adopted strategic framework or structure plan for the area, including urban design themes, traffic management arrangements, and distribution of different land use components.
  - Provide for convenient pedestrian and vehicle access and linkages to any adjoining commercial centre.
  - Reinforce and protect the residential amenity of any adjoining or nearby residential properties.
- There be no further intensification of any established tourist or commercial use or development within a Mixed Use Zone outside of a Major Activity Centre, unless it is specifically provided for in any strategic framework or structure plan adopted for the zone or any adjoining commercial centre.
- Any residential development in a Mixed Use Zone outside of a Major Activity Centre, comply with the policies contained in Residential Use.

Implementation

Development within a Mixed Use Zone outside of a Major Activity Centre, comply with policy for adjacent residential areas to reflect the surrounding General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone or Rural Living Zone.

Apply the Mixed Use Zone in established townships.

Objective 4 Rural Townships

To maintain and enhance the rural setting and compact form of the rural townships.

Strategies

- Contain small rural townships within currently defined urban boundaries, to create distinctive and compact areas separated by rural based activities.
- Provide for additional infill development in undeveloped and fully serviced areas that are zoned for urban use, and which are not subject to environmental or other development constraints.

- Restrict commercial and non-agricultural activities along State Highways and other main rural and tourist road frontages between the towns, to ensure that productive agricultural land and environmental values are protected and rural landscapes are maintained.

- Prevent ribbon development of commercial activities occurring along main or tourist roads.

**Implementation**

These strategies will be implemented by:

Applying the Green Wedge Zone, Green Wedge A Zone and Rural Conservation Zone to areas of non-urban use between established townships.

Applying the General Residential Zone, Neighbourhood Residential Zone, Mixed Use Zone and Low Density Residential Zone to established rural townships.
Urban Areas and Townships Map
BUILT FORM – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

Key Issues

Yarra Ranges includes areas of widely recognised natural beauty with landscapes that offer some of the most attractive scenery in the State.

Its towns, villages and rural areas each have their own visual identity which is valued by residents and visitors. It is important that new development respects and maintains these valued characteristics.

Good design in the built environment is not simply limited to aesthetically pleasing design. It encourages a sense of local identity and seeks to improve people’s experience of a space or locality. It contributes to creating places that people want to be in.

The creation of a more sustainable urban form that consolidates development in existing town centres has many environmental and social benefits. It reduces car dependency, makes more efficient use of community infrastructure and adds life and vitality to town centres.

The planning and design of new development in Yarra Ranges will be guided by the following 5 sustainable design principles:

- Sense of Place – New development must add to the character and identity of distinct localities in Yarra Ranges.
- Protection of Environments – New development must respect and protect sensitive environments, significant landscapes and cultural and natural heritage.
- Design Quality – New development must be of high design quality.
- Sustainable Urban Form – New development must contribute to environmentally sustainable forms of urban and rural development.
- Sustainable Building Design – New development must incorporate best practice in ecologically sustainable building design.

Objective 1 – Siting and Design

To promote proper siting and good design in the construction of all buildings and in the carrying out of works.

Strategies

- Encourage the siting and design of development to respond to the characteristics of the site and surrounding area.
- Develop urban design themes for townships, based on their special character, role and function, and ensure that new development reinforces and consolidates those themes.
- Implement performance based controls which promote good design in all types of building construction to ensure that each proposal takes account of the site and its surroundings.
- Provide public information and advice on urban design issues, where required.
- Promote the construction of buildings that incorporate energy conservation principles.

Implementation

Applying through Clause 51.03 a permit requirement for buildings and works within Foothills Residential areas, Rural Townships and Dandenong Ranges Townships.

Applying the Green Wedge, Green Wedge A and Rural Conservation zones which require that development minimise adverse impacts on the character and appearance of an area or features of environmental or landscape significance.

Applying commercial zones to areas of commercial development under which a permit will be required for new development.
Apply the Significant Landscape Overlay to areas of significant vegetation or landscape significance.
Apply the Design and Development Overlay within residential areas of the Shire to ensure site coverage is consistent with the character of the neighbourhood and allows sufficient area for vegetation.
Applying Design & Development Overlays to town centres to guide the form of future development.

Objective 2 – Town Centre Design
Provide well designed and integrated commercial centres that provide a range of retail and business facilities and associated community services that meet the needs of the local residents and the tourists visiting the municipality.

Strategies
- Design new development to reinforce valued built form characteristics of the town centre.
- Create attractive streets and other places that are safe, encourage pedestrian activity and enhance the overall amenity and identity of the centre.
- Retain existing architecturally, historically or culturally significant buildings.
- Create attractive entries and a sense of identity for each town centre.
- Provide safe and efficient traffic circulation and car parking within each town centre.
- Design and landscape new development to respect the amenity of adjoining residential areas.

Implementation
- Apply Commercial Zones that provide permit control over the form of new development.
- Apply Design and Development Overlays for Dandenongs Hilltop Town Centres, Small Rural Town Centres, Large Rural Town Centres, Belgrave Town Centre and Kilsyth Town Centre to ensure development is consistent with the sustainable design principles for Yarra Ranges.
- Apply the Design and Development Overlay for Mount Evelyn to ensure development reinforces and strengthens the distinctive character of the Mt Evelyn town centre.
- Apply the Design and Development Overlay to Mooroolbark to implement the Mooroolbark Structure Plan 2011.

Objective 3 – Industrial areas
Encourage well designed industrial development.

Strategies
- Provide appropriate levels of visual amenity by means of landscaping and controlling advertising, particularly along main roads and tourist routes.

Policy
When considering applications in the Industrial 1 or Industrial 3 Zone, it is policy that:
- Industrial developments be designed, sited, constructed and landscaped to provide an attractive appearance from adjoining roads.
- Buildings be set back a reasonable distance from site boundaries to allow for features, including landscaping, car parking and loading bays.
- In areas of high traffic exposure, the front building setback be similar to adjoining properties so that individual buildings have a unified appearance when viewed from the road and to allow for effective landscaping at the front of the premises.
· In areas of high traffic exposure, including main roads and tourist routes, where there is no
development on adjoining land, new buildings generally be set back at least 15 metres to allow
for effective landscaping at the front of the premises.

· In areas other than main roads and tourist routes, provision be made for a landscaping strip
around 7.5 metres wide to accommodate effective landscaping, including trees which are capable
of growing to a height of at least five metres at maturity.

· Provision be made for landscaping within setback areas to enhance the appearance of the area
and protect the amenity of any adjoining residential areas.

· If landscaping is required, it:
  - Include groundcovers and incorporate trees that are capable of growing to a height of at
    least five metres at maturity.
  - Be coordinated to achieve a consistent landscape theme with adjoining and nearby properties.
  - Be maintained to the satisfaction of the responsible authority.

· On industrial sites which share a common boundary with a residential zone, the proposed
building generally not exceed a height of seven metres, with the building being set back a
sufficient distance to enable the establishment of a landscape buffer with trees capable of
growing above fence height to create an effective visual screen.

· In industrial areas which have high exposure to main roads or which adjoin residential areas,
all processes, goods and materials used be contained within the building, unless the responsible
authority considers it appropriate to locate some goods outside the building.

· Screen planting and landscaping be provided to minimise visual intrusion in rural townships,
rural areas and other situations where the industrial use will adjoin a main road or tourist route,
or where the land adjoins an area which provides for residential or other uses that may be
sensitive to nearby industrial activities.

· Any industrial use or development in the Silvan or Monbulk industrial area be carried out in a
manner that:
  - Addresses the need for setback of buildings and hard-standing areas from adjoining roads
    and residential properties and ensures that these setbacks are properly planted for screening
    and landscape outcomes.
  - Limits the use of signs and advertising.
  - Utilises buildings that have low visual impacts and which utilise external materials and
    colours that are consistent with the semi-rural township location within which the land is
    situated.

Implementation

Applying the Industrial 1 and Industrial 3 Zone.

Apply policy for Industrial Areas that articulates Council’s preferences and guide opportunities
for business development in various industry sectors and establish criteria to avoid adverse off-site
effects from business activities.

Objective 4 – Pedestrian Amenity

Ensure town centres are attractive, safe and functional for pedestrians.
Strategies

- Provide open spaces throughout centres to create attractive sheltered rest areas for pedestrians and enhance the overall amenity and identity of the centre.
- Recreation trails and other areas in the public realm need to be protected to avoid adverse visual impact.

Policy

It is policy that:

- Buildings and works aim to improve pedestrian and shopper amenity in centres wherever possible by providing pedestrian paths throughout the centre, pedestrian links to car parks, sheltered rest areas and pedestrian weather protection facilities.
- New development be designed to provide convenient access for people with disabilities.
- Encourage effective pedestrian links between centre, car parking, public transport facilities, recreational trails and nearby parklands.

Objective 5 – Design and Development of Tourism and Recreation Facilities

That development of new tourist facilities be compatible and integrated with surrounding land uses and the natural and built environments.

The following applies to the construction of tourism facilities, including visitor accommodation, restaurants, hotels, art and craft galleries, tourist attractions and commercial outdoor recreation facilities.

Strategies

- Ensure that tourism and recreation use and development is managed, located, designed and sited in a manner which protects and enhances the special environmental and landscape characteristics of the area.

Policy

When considering buildings and works for tourism or recreation it is considered appropriate that:

- Development be visually and physically integrated on the site without loss of amenity or degradation to the environment.
- Demonstrate that the proposed buildings and works will not compromise the landscape and environmental qualities of the surrounding area, or substantially change the natural land form.
- Earthworks, filling and excavations are properly stabilised, battered and landscaped predominantly with indigenous vegetation so that soil erosion and runoff are minimised.
- Buildings and works and signs be sensitively sited and designed to:
  - Maintain the scenic quality and character of the area, particularly existing view lines and vistas.
  - Protect any environmental features, including remnant vegetation and wildlife habitats, and the landscape character and land form of the area.
  - Integrate with and complement any established image, streetscape or built form character of the area.
  - Retain and enhance any existing indigenous vegetation or other significant vegetation on the site.
  - Avoid any on-site and off-site impacts, including traffic, parking, noise disturbance, odour and fumes.
- Ensure any signs are located and designed in accordance with policy for Advertising Signs so that they do not detract from the landscape character or unnecessarily distract passing traffic.
- Avoid prominent ridgelines, hill tops and other visually exposed sites.

- All internal roads and access tracks be located, designed, constructed and landscaped to maintain and enhance the landscape character of the area and to minimise soil erosion and loss of residential amenity to adjoining or nearby residential properties.

Objective 6 – Buildings in Residential, Rural Living and Rural Areas

Ensure that any development reflects the environmental and physical form of the surrounding neighbourhood.

Strategies

- Maintain the existing low density of residential development in the rural areas and protect the rural character and environmental and visual qualities of the surrounding area.
- Protect and enhance the residential character and neighbourhood amenity of residential, rural living and rural residential areas to ensure that new development is compatible with the scale and bulk of nearby buildings.
- Ensure that all development is sensitively designed and sited, having regard to the natural physical features of the land, including slope, the presence of existing vegetation and view lines.
- Building setbacks, height, site coverage and design enable the efficient use of the site, while also recognising the amenity of the surrounding residents, and the residential and environmental character of the area.

Policy

It is policy when considering applications in the Rural Conservation and Green Wedge Zones:

- The siting of a proposed dwelling allow for the maximum retention of vegetation particularly remnant vegetation and other healthy trees above 5 metres in height.

It is policy that when considering buildings and works in the Neighbourhood Residential Zone, Low Density Residential Zone, Green Wedge A Zone and Rural Living Zone:

- Building setbacks, height, site coverage and design enable the efficient use of the site, while recognising the amenity of the surrounding residents, and the residential and environmental character of the area.
- The development be set back a reasonable distance from common boundaries with adjoining residential properties, to ensure protection of residential amenity and, where appropriate, provide for the establishment of an effective landscape buffer.
- The setback distance be sufficient to ensure that:
  - There will be no adverse impact on adjoining properties.
  - Daylight to adjoining habitable rooms will not be significantly reduced.
  - Buildings will not significantly overshadow neighbouring secluded private open spaces or main living areas.
  - Windows of buildings will not directly overlook habitable room windows of adjoining properties.
  - The development will not increase the impact of the proposal on surrounding land uses.
  - There will be no increase in the impact of the development on existing remnant vegetation.
Building setbacks from road frontages:
- Generally reflect the development setbacks on adjoining properties.
- Have regard to the need to avoid the removal of vegetation.
- Be consistent with the overall character of development within the locality.
- If frontage of the site is to a minor road, any building be set back at least 7.5 metres from that frontage, and if frontage is to a main road, the building be set back at least 10 metres from that frontage.

The construction of a dwelling or an extension to an existing dwelling:
- Be of a height that is below the tree canopy level and take into account the height of surrounding development, the slope of the land and the impacts on views into the land from adjacent viewpoints.

This does not apply to a domestic television or telecommunications facility or a chimney, flue pipe or heating or cooling appliance.

Objective 7 – Neighbourhood Character – Residential Areas
To recognise and protect the distinctive characteristics and environmental features of the residential areas throughout Yarra Ranges.

Strategies
- Encourage higher density housing that retains and/or upgrades existing housing, and enhances the overall character of the area.
- Ensure that subdivision and development in residential areas addresses the landscape elements and landscape character objectives of the corresponding Significant Landscape Overlay and/or design objectives of the Design and Development Overlay.
- Ensure subdivision and development complements the existing site features such as slope, terrain, substantial trees and remnant vegetation.
- Retain extensive tree canopy cover and native vegetation and ensure that opportunities are available to establish and preserve substantial trees within residential areas.
- Encourage single dwellings as the predominant form of housing in residential areas designated for least change (Residential Framework Map).
- Protect and enhance the rural residential areas to ensure new development is compatible with the scale and bulk of nearby buildings.

Policy Guidance
Proposals for use and development of land in residential areas provide the following:
- Applications for two or more dwellings on a lot must provide a written statement to the satisfaction of the responsible authority explaining how the proposal satisfies Clause 55.02-2.

Implementation
Apply Significant Landscape Overlays in residential areas to protect significant vegetation and ensure residential subdivision and development is respectful of the established character of the neighbourhood.
Apply Design and Development Overlays to restrict subdivision and minimise site coverage in areas of significant vegetation and landscape.
Use the Schedule to Clause 32.06 to require a permit for all dwellings on lots less than 500m2.
Applying local planning policy for Vegetation Protection to guide decisions about vegetation removal in residential areas that contain extensive tree canopy cover, remnant vegetation or other significant exotic vegetation.

Including those parts of the Foothills Areas and Rural Townships that are subject to significant environmental and other constraints and where there is need to limit further development within the Low Density Residential Zone.

Reference Documents

Objective 8 – Gateways to Rural Townships
To upgrade the character and appearance of major arterial road “gateways” to rural townships and commercial centres, major tourist routes and recreational trails within the Shire.

Strategies

- Implement landscape and urban design works to enhance the “gateways” to townships, particularly those which relate to tourist destinations, such as Healesville, Warburton, Powelltown, Yarra Glen, the Dandenong Ranges, Coldstream and Lilydale.

- Maintain a high standard of urban design, featuring extensive landscaping along the industrial land frontages to the major urban arterial routes of the Maroondah Highway and Canterbury Road.

- Promote the establishment of urban design themes for major urban arterial road routes and gateways to rural townships to reinforce the distinctive characteristics of the Shire and distinguish it from other areas of metropolitan Melbourne.

- Mark entries to all other towns and implement landscaping and other works to enhance these entries.

- Prevent ribbon development of commercial activities occurring along main or tourist roads.

- Protect and enhance the amenity and landscape character of rural and green wedge areas, particularly along major roads, tourist routes and recreational trails.

- All development on land adjoining recreational trails, such as the Warburton Rail Trail, be sited and designed to minimise the intrusion of any new development into views from the trail and to retain the overall landscape character of the surrounding area.

Policy

It is policy that

- All roads and access tracks be located, designed, constructed and landscaped to:
  - Maintain the landscape values and character of the area.
  - Avoid pollution and siltation of watercourses, soil erosion and unmanaged drainage discharges on to adjoining land.

Implementation

These strategies will be implemented by:

- Apply policy that requires particular consideration to be given to the siting of development abutting major roads.

- Applying the Green Wedge, Green Wedge A Zone and Rural Conservation Zone to areas of non-urban use between established townships.

Objective 9 – Signage

Provide for outdoor advertising that achieves effective identification of businesses and does not detract from the streetscape character of the area.
Strategies
- Promote outdoor advertising that is well presented and is related to the scale and nature of the use identified.

Policy
It is policy that:
- The number of signs advertising a business be minimised and, if possible, incorporated into the design of building to avoid visual clutter. This issue is particularly important in areas of high exposure, including main roads and tourist routes which have high traffic volumes.

Implementation
Applying Clause 52.05 permit controls over new advertising signs. Apply local planning policy for Advertising Signs that seeks to minimise visual clutter from signs and ensure that they are consistent with any urban design theme established for the area.

Heritage

Objective 1 – Heritage Conservation
To protect and conserve the Shire’s cultural heritage.

Strategies
- Recognise the contribution that buildings and sites of heritage and cultural significance play in nurturing greater community awareness and appreciation of the Shire’s past.
- Identify and conserve sites of heritage and cultural significance.
- Ensure that proposals to demolish, extend or alter sites of heritage and cultural significance give thorough consideration to the importance of the site and the effect the proposed development will have on its heritage values.
- Protect and conserve places of cultural heritage significance, including important sites and other relics valued by the Koori community.
- In commercial centres existing historical, cultural or architecturally significant buildings be retained and renovated in character with the original style of the building, particularly in areas that have a tourist role.
- If redevelopment is proposed on sites containing buildings and places of aesthetic, architectural and historic importance or special cultural value, any original structures, wherever practicable, be retained and restored and any new development be integrated with the character of the original style of the building.

Implementation
Applying a Heritage Overlay to buildings and sites that have been identified as being of heritage significance.

Reference Documents:
- The Conservation of Sites and Structures of Historical Significance in the Upper Yarra Valley and Dandenong Region – Tansley 1978
- Conservation of Historic Sites and Structure of Historical and Architectural Significance in the Upper Yarra Valley and Dandenong Ranges Region October 1987- Upper Yarra and Dandenong Ranges Regional Authority
- Shire of Yarra Ranges Heritage Study Context 2000
- *Lilydale Historic Houses Precinct Methodology and Heritage Precinct Report* - Lovell Chen 2011
- *The Bend Precinct Heritage Assessment* – Lovell Chen 2011
- *Belgrave Commercial Precinct* - Lovell Chen 2009
- *Morson Court Citation* - Lovell Chen 2009
- *Brocklesby House Ladies Rest Home* – Trevor Westmore 2009
- *Healesville Heritage Project* – Lovell Chen (Finalised 2015)
LANDSCAPE – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

The rural areas of the Shire contain some of the most visually attractive landscapes in the Shire comprising an intricate mix of open valleys, rolling foothills, steep forested land and majestic mountain ranges.

Key Issues:

- High environmental and landscape qualities of many of the agricultural areas must be protected from intrusive and poorly designed development and non-sustainable land use.
- The scenic features of the non-urban areas are an integral component of the image and identity of the Shire, and they complement many of the rural and green wedge activities conducted within these areas.
- Vegetation including both remnant and mature exotic planting are important features of the Shire’s scenic landscapes and contributes to the unique character of rural, townships and many residential areas.

Objective 1 – Scenic Landscapes

To retain and protect the scenic landscapes, rural and green wedge character and special environmental features of the Shire.

Strategies

- Protect the rural and green wedge landscapes and forested areas of all non-urban green wedge areas, and ensure that new development complements the established landscape character of significant rural and green wedge landscape areas.
- Protect the important open landscape elements and wine growing activities of the Yarra Valley Plains from visual and urban intrusions.
- Protect the residential amenity of rural and green wedge areas from potentially adverse effects of commercial and non agricultural land uses.
- Ensure that tourist development proposals protect and conserve the natural environment and minimise the adverse impacts on residential amenity.
- Prevent the further fragmentation of rural and green wedge landholdings in non-urban areas.
- Recognise the need for horticultural structures in intensive agricultural areas while ensuring that in areas of high landscape value they are sensitively designed and located.
- Prevent more intensive development in areas of low density rural residential use as these areas act as buffers or areas of transition between urban areas and other areas of high agricultural and environmental significance.
- Recognise the significance of the scenic landscapes abutting the Puffing Billy Railway and protect them from inappropriate development that would detract from the visitor experience.
- Restrict commercial and non-agricultural activities within rural and green wedge areas, especially along the highways and other main rural, green wedge and tourist road frontages, to ensure that agricultural land and environmental values are protected and rural and green wedge landscapes maintained.
- Provide for land uses that reinforce the rural and landscape character of the rural areas and that do not lead to the loss of productive agricultural land through land degradation processes or the carrying out of non agricultural land uses.
- Protect and enhance environmental and landscape values, particularly those derived from remnant vegetation.
Ensure, where appropriate, that external surfaces, including roofs, are treated with non-reflective materials and subdued colours to reduce the visual impact of the development on the surrounding area.

Maintain the distinct rural green wedge and agricultural character of areas between townships in order to retain well defined and compact townships throughout the Shire.

**Policy**

It is policy that:

- Any development proposal demonstrate that the proposed buildings and works will not compromise the landscape and environmental qualities of the surrounding area, or substantially change the natural land form.

- All development be designed and sited to:
  - Have regard to the built form and to maintain design consistency with surrounding development and avoid detriment to the local environment.
  - Recognise the land capability of the site in terms of slope, land subsidence potential, viewlines, enhancement of landscape values, protection of water resources, retention of indigenous flora and fauna and associated wildlife habitats and other local amenity considerations, and so as to be unobtrusive in the surrounding landscape.
  - Avoid the removal of remnant vegetation, particularly healthy trees above five metres in height, and to minimise the disturbance to the root zone of such vegetation.
  - Avoid prominent ridgelines, hill tops and other visually exposed sites.

- In the rural landscape areas, protect and enhance the environmental and landscape values particularly those derived from remnant indigenous vegetation.

- The external surfaces, including roofs, of all buildings, except within Metropolitan Residential Areas as identified in plans showing Residential Areas, be treated with non-reflective materials and subdued colours to reduce the visual impact of the development on the surrounding area. This is particularly necessary where any development is proposed to be located on a visually prominent site.

- On the completion of any development, the site be landscaped to protect and enhance the residential amenity, landscape character and any environmental features of the area.

- The landscaping be planted within 12 months of the practical completion of the development or works and then be maintained to the satisfaction of the responsible authority.

- In all areas outside the Urban Growth Boundary and in localities in residential zones which contain a tree canopy cover of mostly remnant vegetation, preference be given to landscaping using predominantly indigenous vegetation appropriate to the site, including upper, middle and lower storey plant species.

- All roads, including internal access tracks, be located, designed and constructed in a manner compatible with surrounding landscape values and character and which minimises soil erosion.

**Implementation**

Applying the Green Wedge Zone to areas of mostly cleared land used for a range of agricultural and other rural and green wedge activities.

Applying the Rural Conservation Zone to areas of predominantly privately owned rural and green wedge land which contains extensive areas of remnant vegetation.

Applying the Green Wedge A Zone to areas on the urban fringe which have been extensively subdivided into predominantly rural residential lots and provide a buffer between urban and rural and green wedge areas.
Including scenic landscape areas that have been classified or recorded by the National Trust within a Significant Landscape Overlay.

Including the environs of the Puffing Billy Tourist Railway within a Significant Landscape Overlay.

Including areas identified by the Country Fire Authority as being at risk of high intensity wildfires within a Wildfire Management Overlay.

Including maximum subdivision density provisions within the schedules to the Green Wedge Zone, Rural Conservation Zone and Green Wedge A Zone.

Applying a Restructure Overlay to minimise the adverse environmental effects of development in old and inappropriate subdivisions.

Maintaining, through Clause 51.03, a tenement holding control in the Dandenong Ranges and adjoining rural and green wedge areas to limit the scope for more intensive development in areas that have previously been subdivided into inappropriately small lots.

Applying, through Clause 51.03, a permit requirement for the removal of vegetation.
Key Issues

Areas of the Shire are subject to significant physical and environmental constraints including: steep slopes, extensive vegetation cover, lack of reticulated services, proximity to water courses, areas subject to flooding, landslip and land instability and visually prominent sites in sensitive landscape areas.

Inappropriate subdivision in activity centres can result in underutilisation of land needed to meet the needs of diverse housing types.

Indiscriminate subdivision of rural land and subsequent intrusion from commercial and residential activities reduces available agricultural land and fragments environmental values.

Objective 1 - Subdivision in Residential Areas

Provide a range of lot sizes in appropriate locations to meet the needs of a diverse range of household types.

Strategies

- Ensure design of new subdivisions recognises and responds to existing physical, environmental and visual characteristics of the site and surrounding area.
- Encourage flexibility and diversity in residential subdivisions especially within consolidation areas (Residential Growth Zone and General Residential Zones).
- Maximise lot yield in identified consolidation areas by considering grid subdivision.
- Promote a variety of lot sizes to encourage subdivision to be responsive to the retention of significant vegetation and other identified characteristics.
- Ensure subdivision proposals for remaining large lots are designed to retain the environmental and landscape values, particularly within the Foothills and Rural Townships areas.
- Guide subdivision of land in the Neighbourhood Residential Zone to locations that will have no adverse impact on the natural, built-form or landscape amenity and do not compromise important environmental values.
- Use Design and Development Overlays to guide subdivision in consolidation areas and in the incremental change areas in the foothills and rural towns.

Policy Guidance

It is policy that subdivision in residential areas complies with the following:

- Applications for subdivision of a lot must provide a written statement to the responsible authority explaining how the proposal satisfies Clause 56.01. The report must include a development plan showing building envelopes and how development arising as a result of the subdivision addresses existing features such as slope, terrain, substantial trees and any vegetation.
- Applications for subdivision within the metropolitan incremental change areas should create lots large enough to accommodate a dwelling which covers no more than 40% of the site in keeping with the established character of this area.

The subdivision layout:

- Be designed to avoid the creation of lots that would require the removal of significant vegetation, in order to be developed.
In foothills and rural townships, access roads and development envelopes be located so that minimal earthworks are required, with dominant landscape features such as ridgelines being free of development.

In foothills or rural townships have regard to physical and environmental features, including view lines, to help reflect the surrounding topographic or visual characteristics, and to give the subdivision a sense of place or character.

**Implementation**

Apply the Design and Development Overlay to residentially zoned land within the Shire to guide subdivision size.

Apply Low Density Residential Zone within the Foothills residential areas and some rural townships where there is need to limit the scope for further subdivision and more intensive development.

**Objective 2 – Subdivision Design**

Promote subdivision that is functional and enhances the existing neighbourhood character.

**Strategies**

- Avoid further subdivision in court bowl locations.
- Ensure new lots in residential areas are designed to allow dwellings to have a strong street presence.
- Minimise the number of crossovers created by subdivision.
- Ensure driveways provide safe access to dwellings and enable waste collection.
- Ensure driveways are designed to retain existing vegetation and provide adequate opportunity for landscaping.

**Policy Guidance**

It is policy that subdivision in residential areas complies with the following:

- Applications for subdivision be supported by a development proposal.

**Implementation**

Apply the Design and Development Overlay to residentially zoned land within the Shire to guide site coverage and further subdivision.

**Objective 3 – Subdivision Rural Living Areas (Rural Living Zone and Green Wedge A Zone)**

Protect the landscape and environmental features of the area and provide a range of lifestyle choices for residents of the Shire.

**Strategies**

- Design site responsive subdivisions that are consistent with the land’s capability and reinforce the environmental and visual characteristics of the surrounding area.
- Limit further subdivision to retain the low density single dwelling residential character of the area.

**Policy**

When considering applications for subdivision in the Rural Living Zone and Green Wedge A Zone it is considered appropriate to:

- Avoid the fragmentation of landholdings which are capable of being used for sustainable agricultural or farming use and provide where appropriate for the continued use of the land for sustainable agriculture.
- Take account of the land capability of the site in terms of slope, watercourses, soil types, vegetation and any other topographic or environmental feature.

- Provide for the treatment of stormwater and address issues of stormwater quantity.

- Provide for the maximum retention of vegetation, particularly healthy trees above five metres in height.

- Not create lots with building envelopes located in areas of remnant bushland or on prominent ridgelines, hilltops or in other visually exposed areas.

- Locate access roads and development envelopes so that minimal earthworks are required.

*Additional subdivision provisions for land in the Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone or Rural Living Zone appear in Clause 51.03*

**Implementation**

Apply the maximum subdivision density provisions within the schedules to the Green Wedge A and Rural Living Zones.

**Objective 4 – Subdivision Green Wedge Zone and Rural Conservation Zone**

Retain the current diversity of lot sizes in order to maintain landholdings suitable for a broad range of sustainable agricultural and that protects landscape character and remnant bushland.

**Strategies**

- Limit further subdivision and fragmentation of lots to protect the open rural and green wedge landscape character of areas where it exists and retain options for the future use of non-urban land for a range of agricultural activities.

- Design site responsive subdivisions that protect areas of remnant bushland and other environmentally sensitive areas.

**Policy**

When considering applications for subdivision in the Green Wedge and Rural Conservation Zones it is considered appropriate to:

- Avoid the creation of lots with building envelopes located in areas of remnant bushland or on prominent ridgelines, hilltops and in other visually exposed areas.

- Provide where appropriate, for the continuation of the land for a sustainable agricultural, including farming use.

- Ensure services such as fully constructed roads are provided to each lot and that the provision and installation of facilities does not have an adverse impact on the environment or landscape of the area.

- Provide underground electricity to lots in areas of high bushfire risk.

- Locate access roads and development envelopes so that minimal earthworks are required.

*Additional subdivision provisions for land in the Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone or Rural Living Zone appear in Clause 51.05*

**Implementation**

Applying appropriate Green Wedge zones throughout rural and green wedge residential areas which establish subdivision controls that will ensure that any additional lots will be of sufficient size to provide for the long term sustainability of environmental values on that land and the area surrounding it.

Including maximum subdivision provision within the schedules to the Green Wedge and Rural Conservation Zones.
**Objective 5 – Old and Inappropriate Subdivision**

To minimise the adverse environmental effects and other community servicing difficulties resulting from residential development in old and inappropriate subdivisions in rural and green wedge areas.

**Strategies**

- Identify subdivisions in rural and green wedge areas which are inappropriate for development with a house on each lot because of severe environmental and other servicing constraints.
- Maintain a program to restructure old and inappropriate subdivisions to create a more sustainable density of development and limit new houses on vacant lots not suitable for a dwelling.
- Assist affected landowners to achieve the restructure of their lots.

**Implementation**

Applying a Restructure Overlay to minimise the adverse environmental effects of development in old and inappropriate subdivisions.

Maintaining, through Clause 51.03, a tenement holding control in the Dandenong Ranges and adjoining rural and green wedge areas to limit the scope for more intensive development in areas that have previously been subdivided into inappropriately small lots.

Applying a Public Acquisition Overlay to properties within old and inappropriate subdivisions that have identified for public acquisition by the Department of Natural Resources and Environment as part of its land buy back program.

**Objective 5 - Subdivision in Industrial Areas**

The objectives for subdivision in all industrial areas are to:

- Contain and consolidate the industrial areas in the Shire.
- Retain a range of lot sizes to provide for a diversity of industrial uses and development.

**Policy**

It is policy that:

- The proposed subdivision generally have a minimum lot size of 2,000 square metres with an average of 4,000 square metres, unless it can be satisfactorily demonstrated that there is a market demand for smaller or larger lot sizes. The market analysis should also indicate the impact the proposed subdivision size would have on the subdivision pattern and land use and development on adjoining industrial land.
- The proposed subdivision provide for the containment and consolidation of the existing industrial areas.
ENVIRONMENT – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

Key Issues

- The Dandenong Ranges and the Upper Yarra Valley are environmentally sensitive areas with significant recreational value and should be protected from development which would diminish their environmental conservation or recreational values. (VPP Clause 11.04-6).
- The retention and rehabilitation of remnant vegetation is fundamental to retaining the vast range of wildlife habitats throughout the Shire. The Shire’s prime objective is protection and enhancement of its rich biodiversity.
- Remnant vegetation is one of the most significant natural resources of the Shire. These areas are sensitive to indiscriminate and incremental clearing which can result in intrusion of weeds and the loss of habitat.
- Vegetation including both remnant and mature exotic planting are important features of the Shire’s scenic landscapes and contributes to the unique character of rural, townships and many residential areas.

Biodiversity

Objective 1 – Areas of Environmental Significance

To protect and conserve the environmental characteristics of the Shire which are of local, regional, state and national significance.

Strategies

- Prevent the incremental loss of remnant vegetation on both private and public land and ensure the proper consideration of the environmental effects of proposals to remove vegetation.
- Protect, rehabilitate and extend viable wildlife habitats, including the flora and fauna values of public land, and the integrity of habitat corridor links through the Shire.
- Control, and eventually eradicate, noxious and environmental weeds, and reduce the presence of vermin and pest animals, on Council controlled land and assist private landowners to achieve the same outcomes.
- Manage public access and visitor numbers to recreational and leisure areas where increased human activity will threaten the conservation values of such areas.
- Ensure that the use of the land, construction of buildings and the carrying out of works are of a type, scale and design which do not adversely impact on the natural environment.

Objective 2 - Vegetation

Permission for the removal of vegetation is required under the provisions of Clause 51.03 and 52.17 of this planning scheme as well as under the ESO and SLO.

To protect and enhance the Shire’s rich biodiversity.

Strategies

- Identify and ensure effective management of sites of natural significance having regard to the role of remnant vegetation in the landscape value and visual amenity of the Shire.
- Ensure proper maintenance practices and controls on vegetation clearance are applied to the use and development of land.
- Design buildings and works associated with tourism development to avoid the removal of established trees or indigenous vegetation.
- Manage all land in the Rural Conservation Zone in a way that ensures the protection of its environmental values and provides for the long term protection and enhancement of any remnant vegetation, particularly if that vegetation contains habitat for plants or animals which are rare or endangered in the Shire or if the vegetation provides a wildlife corridor link between other areas of remnant vegetation.

- In the Rural Conservation Zone ensure that the use of the land for agriculture does not lead to the loss of indigenous vegetation or detract from other environmental features of the area.

**Objective 3 – Catchment**
To ensure land use and development is assessed in the context of its potential effect on the wider catchment.

**Strategies**

- Promote ecologically sustainable development and land management practices which have regard to wider integrated catchment protection needs.

- Protect and enhance wetlands, watercourses, roadside and streamside vegetation and the long term integrity of zoologically and botanically significant areas.

- Implement policies that address the principles of ecologically sustainable development for the Upper Yarra River Catchment.

**Policy**
It is policy that:

Any development not adversely impact on the natural environment of the land or the surrounding land or watercourses, by ensuring that:

- Earthworks, filling and excavations are properly stabilised, battered and landscaped predominantly with indigenous vegetation so that soil erosion and runoff are minimised.

- The natural drainage system, including nearby watercourses, sub-surface drainage and the water table, is not adversely affected.

- Development in the Little Stringybark Creek Catchment incorporates stormwater retention measures on site to mitigate additional stormwater runoff from the development.

- Buildings and works be sited to avoid detriment to the ecology of any stream or watercourse on or near the site and provide satisfactory drainage and stormwater management measures.

- No buildings, including associated waste treatment and effluent disposal facilities, be constructed within 30 metres of a watercourse within a Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Rural Living Zone, or a Farming Zone or within 10 metres of a watercourse in any other zone.

- All buildings, including waste treatment and effluent disposal facilities associated with the dwelling, be located outside any land liable to flooding and be at least 30 metres from a watercourse and sited to avoid any detriment to the ecology of any stream or watercourse on or near the site.

**Implementation**
Applying local planning policy for Vegetation Protection that emphasises the importance of retaining remnant vegetation, protecting and enhancing habitat corridor links, promotes the concept of land management which achieves a net environmental gain and ensures a thorough assessment of the impacts of vegetation removal proposals.

Applying, under Clause 51.03, a permit requirement for the removal of remnant vegetation throughout all rural and green wedge areas as well as in residential areas that retain a substantial tree canopy cover.
Applying appropriate Green Wedge zones throughout rural and green wedge and residential areas which establish subdivision controls that will ensure that any additional lots will be of sufficient size to provide for the long term sustainability of environmental values on that land and the area surrounding it.

Including privately owned rural and green wedge land that retains extensive areas of remnant vegetation within the Rural Conservation Zone within which the specified environmental outcome is to provide for the long term protection of remnant vegetation and other environmental values.

Including areas of public land which contain remnant vegetation and are managed primarily for conservation purposes within the Public Conservation and Resource Zone.

Apply the Environmental Significance Overlay to the Little Stringybark Creek catchment to require all development to include stormwater retention.

Other actions

Cooperating with community Landcare and other environment groups, the Department of Sustainability and Environment, Melbourne Water and other public land management agencies in programs to promote a greater awareness of integrated catchment management concepts and sustainable land management techniques.

Prepare and implement a Green Wedge Management Plan to guide future sustainable land use and development of land within the Shire’s Green Wedge areas.

Environmental Hazards

Objective 1
To ensure that the use of land and development takes account of physical development constraints such as flood, fire and landslip and to control development in these areas.

Strategies

- Implement fire prevention programs which are closely integrated with environmental and fire management principles.
- Encourage people to adopt principles and practices in the planning and development of their land which minimise the risks from wildfires.
- Limit development in areas prone to intense wildfire behaviour and provide township protection features.
- Identify areas subject to flooding from streams or at risk from overland stormwater flows.
- Ensure that risk factors are fully identified and addressed before additional development is undertaken in areas that are subject to flooding.
- Limit development in areas prone to high volume flood flows, and protect the storage capacity of flood pondage areas.
- Maintain a safe and attractive living environment.
- Promote safety of people and property.
- Provide adequate design and services that allow rapid and effective response by emergency services.
- Ensure the community is aware of the risks of landslide, wildfire hazards, flooding (in specific areas) and the need to limit, and even prevent, development where there are problems or to apply special development criteria.
Implementation

Applying a Wildfire Management Overlay, to land where intensity of wildfire is significant and likely to pose a threat to life and property.

Applying a Land Subject to Inundation Overlay to land which has been identified by Melbourne Water as being subject to flooding during 1 in 100 year flood events.

Applying an Urban Floodway Zone to sites in urban areas where the potential for development is severely constrained by the risk of flooding.

Applying the Special Building Overlay to land affected by overland flows in storm events that exceed the capacity of the underground drainage systems.

Applying the Erosion Management Overlay to land which has been identified as having landslip risk within the Shire.

Sustainability

Objective 1 – Sustainable Building Design

To ensure that the use of land, the construction of buildings and the carrying out of works are of a type, scale and design which do not adversely impact on the natural environment and take account of physical development constraints.

Strategies

- Ensure that new and upgraded infrastructure is of an appropriate design and standard to prevent environmental degradation.
- Require land capability assessments where there are identified physical constraints for land use and development, such as flooding, erosion, wildfire risks and landslip.
- Encourage energy efficient design in new development and in the provision of infrastructure.
- Facilitate sustainable land use and development.
- All internal roads and access tracks be located, designed, constructed and landscaped to maintain and enhance the landscape character of the area and to minimise soil erosion and loss of residential amenity to adjoining or nearby residential properties.

Implementation

Applying, under Clause 51.03, a permit requirement for the development of most new buildings and works in rural, green wedge and rural living areas and residential areas that are subject to development constraints and to enable consideration to be given to environmental and amenity effects of proposed development within those areas.

Applying a Wildfire Management Overlay, Land Subject to Inundation Overlay and Erosion Management Overlay to areas subject to environmental risk.

Other Actions

- Cooperating with the Country Fire Authority in providing advice on building design and land management techniques to minimise the fire safety risks during major fire events.

Objective 2 – Sustainable Agriculture

To promote sustainable farming and land management practices within the non-urban and green wedge areas of the Shire.

Strategies

- Encourage local communities to work with Council to implement sustainable farming practices (eg through local Landcare groups).
- Apply integrated catchment management principles in managing the use and development of rural and green wedge lands.
- Maintain the existing buffers between urban areas and productive agricultural land and land of high environmental significance.

**Policy**

It is policy that:

- Cleared land remains committed to agriculture as the primary function of the area and be managed to ensure its long term use for sustainable agricultural activities. This recognises, as does the Regional Strategy Plan, that there is generally sufficient cleared land within the Shire to provide for agricultural, activities.

**Implementation**

Apply policy for Rural and Green Wedge Areas and local planning policy for Vegetation Protection that emphasise the importance of retaining and enhancing remnant vegetation. These will require consideration to be given to the wider environmental implications of new development proposals.

**Other actions**

Cooperating with community Landcare and other environment groups the Department of Sustainability and Environment, Melbourne Water and public land management agencies in programs to promote a greater awareness of integrated catchment management concepts and sustainable land management techniques.

Prepare and implement a Green Wedge Management Plan to guide future sustainable land use and development of land within the Shire’s Green Wedge areas.
INFRASTRUCTURE – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

Key Issues
The design and standard of infrastructure needs to cater for current and future demands, maintain environmental qualities of the municipality and be flexible in design to suit local characteristics.

Objective 1 – Physical Infrastructure
To establish a good standard of physical infrastructure for all new development and, where appropriate, upgrade the existing infrastructure in established urban areas.

Strategies
- Encourage housing diversity, new development and urban consolidation, within existing urban zoned areas, which maximises existing infrastructure.
- Encourage innovation in the provision of drainage infrastructure, with consideration given to the use of grassed swales instead of underground drains and the use of sediment ponds and wetlands for water quality treatment.
- Ensure that areas of unsewered land in existing urban and rural township areas are generally identified as priorities for the installation of reticulated sewerage in any backlog sewerage program.
- Limit the further provision of urban infrastructure in the Dandenong Ranges and its foothills, and in other sensitive locations where the provision of such infrastructure would create adverse physical and environmental impacts or where it could lead to inappropriate pressure for more urban development.

Implementation
Preparing a development contributions levy policy for the Shire, which outlines the required standard of all infrastructure (physical and social) to be provided in new development and addresses other issues such as the costs of provision.
Identifying strategies for upgrading existing tourist infrastructure, which integrates well with the surrounding built and natural environments and with broad tourism marketing directions.
Preparing and implementing infrastructure strategies identifying the problems and possible design solutions and addressing matters such as works to be done and financial options.

Objective 2 – Transport
To integrate land use planning with transport planning throughout the Shire.

Strategies
- Identify preferred routes of key road users and develop a road strategy and capital works program (based on a priority evaluation process) to improve these routes.
- Consult the community on options to provide a more responsive and improved public transport system, especially for people living in Rural Townships.
- Encourage the duplication of State Highways through the Shire, as well as actively pursue strategic bypasses (such as of Yarra Glen, Lilydale and other traffic congested townships) as a high priority.
- Ensure heavy traffic users travel along designated routes where design capacity is adequate and local amenity impacts are minimal.
- Implement local traffic management schemes to minimise through traffic movements in residential streets and maintain a high level of safety and amenity.
Implementation

Applying the appropriate Road Zone to the major road network throughout the Shire, which recognises the significance of these road routes and provides appropriate controls over the creation of new access points and development on adjoining land.

Applying a Public Acquisition Overlay to proposed road routes where a commitment has been made to acquire land for road construction purposes.

Preparing a development contributions levy policy for the Shire, which outlines the required standard of all infrastructure (physical and social) to be provided in new development and addresses other issues such as the costs of provision.

Identifying strategies for upgrading existing tourist infrastructure, which integrates well with the surrounding built and natural environments and with broad tourism marketing directions.

Preparing and implementing infrastructure strategies identifying the problems and possible design solutions and addressing matters such as works to be done and financial options.

Objective 3 – Accessibility

To promote a greater accessibility to, and provision of, public transport into and throughout the Shire, particularly in areas remote from current public transport services.

Strategies

- Utilise input into strategic planning for public transport, in a wider metropolitan context, so as to ensure that public policy making on transport addresses the public transport needs of the Shire, particularly in areas remote from the metropolitan fringe.

- Ensure that the planning and development of townships and residential areas maximises access to existing, and provides for the future provision of new, public transport in the Shire.

Implementation

Maintaining a program of reviewing public transport needs, especially within rural and green wedge communities, and cooperating with relevant agencies to achieve the provision of public transport services that meet local needs.

Objective 4 – Utilities

To provide utilities that maintain the environmental qualities of the Shire.

Strategies

- In the RLZ and GWAZ services such as fully constructed roads and a reticulated water supply, sewerage, electricity, gas and telephone services be made available to all buildings and works where required, otherwise it be demonstrated that such utility services are either:
  - Able to be provided and that the installation of these services will not have an adverse impact on the environment or landscape of the area.
  - Not necessary to enable the proposed use to be conducted on the land without detriment to the environment or landscape of the area.

- In areas which are included in a Significant Landscape Overlay or Wildfire Management Overlay in the Green Wedge and Rural Conservation Zones, building envelopes be sited to enable provision of utility services with minimal disturbance to established vegetation or other environmental features.

Policy

It is policy that:
The provision of utility services required for any development, including drainage, sewerage, water, electricity, gas, telephone, roads and driveway access, be undertaken in the manner least likely to disturb remnant vegetation and the natural features of the land.

For the provision of drainage, sewerage, water, electricity, gas and telephone services, the services be underground and, if possible, utilise common trenches. The location and installation of these services should minimise impacts on indigenous vegetation and other established trees.

Objective 5 – Dams
Provide for the construction of dams that are needed to provide water supply for agricultural or domestic use.

Strategy
- Ensure that any dams constructed are located and designed to avoid any adverse impact on the ecology of any watercourse or wetland or on the safety of other properties in the locality.

Policy
It is policy that dams only be constructed if the:
- Dam is required to provide water to supply agricultural or domestic needs on the site.
- Construction of the dam will not result in the quantity or quality of water flows in any watercourse or wetland being reduced to a level which will detract from the value of any watercourse or wetland as a flora or fauna habitat, amenity feature or source of water supply.
- Design and siting of the dam will not result in dam failure or the creation of a potential safety hazard to adjoining or nearby properties.
- Dams not be constructed within 30 metres of a watercourse or on sites which would result in the obstruction of any permanent watercourse or the destruction of any indigenous wetland vegetation.
- Any dam constructed be located at least 10 metres from any property boundary to provide for landscaping and access for maintenance works.
- Any dam constructed be appropriately landscaped with indigenous plant species suitable for the land on which the dam is constructed.
COMMUNITY INFRASTRUCTURE – OBJECTIVES, STRATEGIES AND IMPLEMENTATION

Objective 1 – Community Services
To improve access to a well-planned range of Shire-based community services that meet the current and future needs of residents.

Strategies
- Encourage the provision of community services in convenient locations to meet the needs of the urban and rural and green wedge communities. This may include the acting on the outcomes of a ‘Community Hubs’ policy that seeks to identify strategic locations for the provision of ‘hubs’ that provide integrated community services and facilities, such as those for children, aged, family and other community services.
- Provide for the consolidation of community facilities within established township centres where convenient access is available to other facilities such as public transport and shops.

Implementation
Apply policy for Commercial Centres that encourages the consolidation of a range of retail and community facilities within established centres.

Establishing an access support policy that facilitates linkages and coordination between Shire, State and private sector services in developing policies, establishing target groups, disseminating information and enhancing community transport options throughout the Shire.

Objective 2 – Recreation and Cultural Facilities
To establish a network of recreational, leisure and cultural facilities and programs which reflect the natural and environmental attributes of the Shire.

Strategies
- Promote leisure, recreation and recuperation activities, as well as a wide range of sporting activities and health and fitness centres, including havens and retreats for religious, educational and cultural organisations.

Implementation
Apply policy for tourism that establishes criteria to encourage appropriate forms of tourism facilities.

Applying the Public Park and Recreation Zone to public land which is managed predominantly for recreational activities.

Infrastructure map
The following map provides an overview of the infrastructure framework within the Yarra Ranges Shire.
DISCRETIONARY USES RESIDENTIAL AND INDUSTRIAL ZONES

This policy applies in zones as designated below.

RESIDENTIAL ZONES

Objectives

- Provide limited and controlled opportunities for non-residential uses that meet the needs of the local residential community, protect the residential amenity of the area and are compatible with the visual, environmental and landscape qualities of the neighbourhood.
- Ensure that non residential uses are of a scale and intensity that will not detract from the environmental features and amenity of the residential neighbourhood.
- Prevent the establishment of commercial uses which would be more suitably located in a commercial centre or industrial area.

Policy

It is policy that:

- There be a demonstrated need for any proposed non-residential use which seeks to locate in a residential area, rather than within a commercial centre.
- Any proposed non-residential land use:
  - Be clustered in or adjoining a commercial centre, close to public transport or situated on a main road and not contribute to ribbon commercial development along main or tourist roads.
  - Be compatible with the surrounding neighbourhood, not lead to the transformation of a residential area into a quasi-commercial area and be of a scale and design that respects the environmental and built elements of the area.
  - Be provided with setbacks from common boundaries with adjoining residential uses that ensure the protection of residential amenity and, where appropriate, provide for the establishment of effective landscaping and screening buffers.
  - Provide sufficient off-street car parking, with traffic access being located on or near a main road so as to minimise the need for cars to travel through local residential streets.

Must meet the requirements specified in Commercial use section.

- Restaurants, retail facilities (other than a convenience shop), tourist facilities, recreation facilities (other than on public land), places of assembly and visitor accommodation (other than for five people or less) not be established in Foothills Residential Areas or other residential areas, particularly those which have environmental or amenity constraints.

Industrial Zone

Objectives

- Allow non-industrial uses which are compatible with an industrial development or which would be inappropriate in any other zone.
- Ensure that activities carried out on industrial land do not adversely affect the amenity of nearby residential areas.

Policy

When considering applications for non-industrial uses it is considered appropriate that:

- Any proposal to establish a retail or other non-industrial use in an industrial zone demonstrate that:
- There is a need to establish the proposed use in an industrial area rather than in a commercial centre.
- The proposed use is of a nature that is compatible with the surrounding land uses.
- The use will not adversely affect the long term provision of land for industrial uses within the area.
- Any proposed use located on land that adjoins a residential area demonstrate that the proposed use will not have any adverse impact on the nearby or surrounding area, particularly in terms of noise and emissions.

**Industrial land in Monbulk and Silvan**

- Land zoned for industrial purposes in the Monbulk and Silvan area be used to provide for support industries and services to the intensive agricultural, horticultural and other rural activities being carried out in the area.

- Uses such as service stations and uses that generate high levels of traffic not be supported within the industrially zoned areas, because of the:
  - Conflict with residential traffic.
  - Intensive nature of the use impacting on nearby residential amenity and safety.
  - Need to ensure that the land is available for those uses associated particularly with providing services to the intensive agricultural and horticultural industries.

- Any industrial or non-residential use or development within this area be carried out in a manner that:
  - Ensures there are no adverse impacts on surrounding residential properties by way of noise, odour, dust or other nuisances.
**TIMBER INDUSTRY**

This local planning policy applies to the establishment and operation of timber growing, harvesting and processing facilities throughout the Shire.

**Policy basis**

The timber industry is a source of local employment and makes an important contribution to the economy of the Shire.

Sawmills and other timber processing facilities are established in, or near, many of the rural townships in the Upper Yarra Valley, although much of the timber is sourced from forests in the Central Highlands region beyond the Shire boundaries. Some areas of timber harvesting are located in the forests of the southern foothills of the Donna Buang Range and in the upper reaches of the Little Yarra Valley.

The Shire is strategically located to increase its role within the value adding sector of the timber processing industry. This is due to its links to the substantial timber reserves in the Central Highlands to the north and Gippsland to the south east, as well as its good accessibility to the Melbourne metropolitan market and to the Port of Melbourne.

The continuation and future development of the timber industry in the Shire must ensure that adverse impacts on residents and the environment are minimised.

The Business strategies in Clause 21.04 of the Municipal Strategic Statement recognise the importance of facilitating future investment in the timber industry and the need to minimise the off-site effects of rural activities, including the timber industry.

This local planning policy provides guidance in assessing whether land may be suitable for use and development as a sawmill or for timber processing. The policies contained in this local planning policy relate to the reorganisation, expansion or relocation of existing sawmills, development of new sawmills and development of new timber processing.

It is not envisaged that hardwood plantations will be a major land use in the Shire. A significant proportion of the timber currently handled at mills in the Shire comes from areas beyond the Shire boundaries, and it is expected that this practice will continue in the future.

**Objectives**

The objectives of this policy are to:

- Facilitate appropriate restructuring of the timber industry, including encouragement of value-adding processing of timber products to strengthen the economy of the Shire and increase local employment opportunities.
- Provide for restructuring of the industry and introduction of new technology that is appropriate to the economic circumstances of the time and the capacity of individual operators to introduce change.
- Provide guidance on the selection of suitable sites for sawmills and timber processing.
- Provide for protection of the special environmental values of the Shire.
- Identify areas where these facilities may be appropriately located.
- Ensure that all new and expanded sawmills and timber processing operations and new hardwood plantations are sited and designed to minimise the risk of uncontrolled fire.
- Encourage and facilitate the planting of hardwood timber plantations and agroforestry on cleared private land, particularly on degraded land and land not suited to other productive agricultural uses.
Ensure that the establishment, harvesting and re-establishment of timber plantations, including any harvesting and regeneration of private native forests, is managed in accordance with the Code of Forest Practices for Timber Production.

Facilitate any changes to existing sawmilling operations that will allow them to adopt more efficient processes and new technology and at the same time minimise adverse impacts on the surrounding area.

Ensure that all new and expanded sawmilling and new timber processing operations are sited and carried out in a way that minimises any adverse impacts on the surrounding area, its residents and the environment.

Promote the industrial areas of the Shire as a centre for furniture manufacturing and specialist value-adding processing of timber products.

### Sawmill and timber processing site selection

It is policy that:

- Major sawmills and timber processing be located in the preferred development areas identified on the maps forming part of this policy.

- Any proposal for a sawmill or timber processing in these areas also satisfy the other policies in this local planning policy.

- Council may consider a proposal for a sawmill or timber processing in other areas provided it can be demonstrated that it will comply with the other policies for the location and development of a sawmill or timber processing facilities.

- A sawmill or timber processing not be located on land which has the capability of sustaining productive agricultural uses.

- The site of a sawmill or timber processing be separated from any residential zone, hospital, school or any other sensitive land use by a sufficient distance to comply with the Environmental Protection Authority recommended buffer distances for industrial air emissions.

- The site area be adequate to provide for separation of the sawmill or timber processing from the site boundaries, sufficient to ensure that adverse impacts from the use can be properly dealt with within the site.

- Sites within an Environmental Significance Overlay or a Significant Landscape Overlay be avoided, and sites within a Heritage Overlay be avoided unless it is demonstrated that the proposed development will not diminish the cultural significance of the site.

- If it is proposed to locate a sawmill or timber processing on land included in an Environmental Significance Overlay, it be demonstrated that the proposed development will not diminish the natural significance of the site or adversely affect the long term management of its environment.

- A sawmill or timber processing not be located in an area with high to very high fire hazard rating, unless it can be demonstrated that the development will not increase fire hazard in the area.

- The visibility of the site from surrounding roads and land be limited by the nature of the topography of the site and surrounding area, by established tree planting on the land that will screen the development or by other means.

- It be demonstrated that the site has sufficient area to provide for:
  - Adequate building envelopes that avoid any areas which are subject to flooding or which contain slopes exceeding 20 percent.
  - Satisfactory treatment of effluent (if required).
  - Collection and treatment of stormwater runoff.
- Collection and treatment of water used in the processing of timber.
- Protection against accidental spillage or leakage of chemicals and other potential pollutants used in the processing of timber.
- Appropriate riparian buffer areas along any waterway or other waterbody within or adjoining the site.

- The site be connected to necessary utility services or be capable of being serviced by appropriate alternative means.
- The site have direct access to a sealed road which is capable of carrying heavy industrial traffic without causing:
  - Any adverse impact on the road capacity or the road pavement surface.
  - A traffic hazard on surrounding roads.
  - Significant loss of amenity to the surrounding area.

22.02-4

Design and siting of sawmills and timber processing

It is policy that:

Earthworks

- Buildings associated with a sawmill or timber processing not be located on land with slopes having a ratio of 1:5 or more, unless a geotechnical report is submitted with the proposal identifying measures that will be taken to ensure that any risks of subsidence, landslip and soil erosion are minimised.

- Earthworks associated with the development of the site be kept to a minimum and any batters be appropriately graded and treated to ensure that erosion of the batter surface will not occur and the visual impact of the earthworks is minimised.

- Cut and fill required to provide for buildings, storage areas, parking areas, access roads and the like be minimised and not create soil erosion problems or be incompatible with the landscape character of the area.

Effluent disposal and drainage

- The sawmill or timber processing be connected to a reticulated sewerage system, or an appropriate treatment system be installed that will ensure effluent is properly treated and contained within the site.

- Runoff from the site of any sawmill or timber processing not exceed the pre-development runoff rates from the land.

- Provision be made for monitoring and treatment of stormwater drainage from processing areas, car and truck standing areas and roadways, and runoff from spraying of logs and other sawmilling or timber processing operations, to ensure that oil and other pollutants are not carried in runoff discharged from the site.

- If necessary, provision be made for settling dams, oil interceptor pits and other measures to monitor and treat runoff.

Connection to reticulated services

- The sawmill or timber processing be connected to a reticulated water supply, or appropriate provision be made to collect and store water on the site, including the provision of water for firefighting.
The sawmill or timber processing be connected to a reticulated electricity supply.

If electricity supply is not already available to the site, any work required to bring electricity supply to the site be carried out in a way that minimises visual and environmental impacts.

**Vehicle access and traffic**

- Any proposal for a sawmill or timber processing include any road works required to provide for satisfactory vehicular access to the site having regard to traffic safety and the need for upgrading of the road pavement to address the likely impacts of heavy vehicles accessing the site.

**Fire safety**

- All buildings and works, processes and uses associated with a sawmill or timber processing be sited and designed to minimise fire hazard and clear access be provided for fire fighting vehicles to a permanent and adequate water supply.

**Visual screening**

- All buildings and works associated with a sawmill or timber processing be sited and designed to minimise the visibility of the development from surrounding land and the area generally and to ensure that the development is in keeping with the landscape character of the area.

- Appropriate screen planting be provided or retained within the site to effectively screen views of the development from land outside the site.

**Protection of vegetation and watercourses**

- Removal of vegetation to provide for the development be minimised and not significantly reduce the habitat value of the site or affect the landscape character of the area.

- Buffer areas be retained or provided along any waterway or waterbody within or adjoining the site in order to protect the waterway or waterbody and its banks from degradation.

- Buffer areas be heavily planted with suitable riparian vegetation to provide for appropriate protection of the ground surface.

**Flood prone areas**

- No buildings, storage areas or other floodway obstructions be located on flood prone land.

- Earthworks on flood prone land be kept to a minimum and not obstruct any floodway or diminish the flood holding capacity of any flood pondage area.

- Any development of flood prone land be referred to the relevant drainage authority.

**Noise, air and other emissions**

- Noise attenuation measures be included in any proposal for a sawmill or timber processing to ensure that noise emissions are kept to a minimum and comply with the relevant Environment Protection Authority guidelines for control of noise from industry.

- Traffic generated by a sawmill or timber processing not create excessive noise nuisance to the occupants of nearby properties.

- If there will be air borne emissions generated by the operation of the sawmill or timber processing (including dust), measures be included in the development to ensure that the emissions are in conformity with requirements of the Environment Protection Authority and will not detract from the amenity of any nearby property or affect any crop produced on any nearby land.
- Appropriate provision be made for the storage and use of chemicals and other products used in the sawmilling or timber processing operations to ensure that there will be no leakage of these materials into nearby waterways, water bodies or the ground water, and appropriate provision be made for handling of any accidental spillage of these materials to ensure that they will not enter any nearby waterway, water body or the ground water.

- Any external lighting within the site be appropriately located and, where appropriate, baffled so that there is no glare or spill of light outside the site.

Policy reference

Timber Industry Policy and Site Selection & Development Criteria, Shire of Yarra Ranges, February 1997
Preferred development areas – Maps 1 – 3

Powelltown area
Dalry Road (Launching Place) area
South Yellingbo area
HORTICULTURAL STRUCTURES (IGLOOS AND GLASSHOUSES)

This local planning policy applies to the construction of any horticultural structure within the Shire, and for which a planning permit is required under Clause 51.03 or any other clause of this planning scheme.

Policy basis

The Shire is the most significant centre for the nursery and cut flower industries in the State. The Shire has many attributes which make it an important location for intensive horticultural industries. These include a favourable climate, productive soils, convenient accessibility to the metropolitan market and its close proximity to a range of support industries. Intensive horticultural industries are a major component of the economy of the Shire and an important source of local employment.

Horticultural structures in the form of plastic igloos are now an integral part of modern plant nursery, bulb and cut flower production, and are essential to the viability of the intensive horticultural industries. Plastic covered igloos provide controlled micro-climatic conditions that promote successful plant growth. They also enable growers to meet market demands for a high level of year round quality control.

The large expanses of white reflective plastic that may be created by igloo developments can be visually intrusive and detract from the surrounding landscape. The Shire contains many landscapes which are highly valued by the people who have chosen to live in the region, and by the many day-trippers and tourists who visit the Shire each day.

The Shire is committed to supporting and encouraging the development of sustainable intensive horticultural industries whilst preserving and protecting the special landscapes, productive soils and high water quality in the rivers and streams that drain the area. These special landscapes often reflect the agricultural activities carried out on land within them.

The Business and Non-Urban provisions of Clauses 21.04 and 21.06 of the Municipal Strategic Statement identify the importance of horticultural structures to the local horticultural industry and the need to minimise any adverse effects they may have, especially within sensitive rural and green wedge landscapes and environments.

This policy has been developed to provide for the needs of the intensive horticultural industries whilst, at the same time, providing for the protection of the special environmental features of the Shire. It will assist intensive horticultural industry operators in developing proposals to construct horticultural structures in the Shire and provide guidance for the consideration of subsequent planning applications.

Objectives

The objectives of this policy are to:

- Encourage development of the intensive horticultural industries in the Shire and provide for their on-going sustainability.
- Encourage the protection and sustainable use of the productive soils in the Shire and the concentration of intensive horticultural uses in the areas where these soils occur.
- Provide flexibility in planning controls in order to allow intensive horticultural industries to operate efficiently and cost effectively (including the use and construction of horticultural structures), in a way that respects environmental values.
- Ensure that future development of horticultural structures is compatible with the landscape character of the area in which they are to be located.
- Maintain and enhance water quality in the rivers and streams.
Minimise risk of landslip or subsidence.

Ensure that horticultural structures are properly maintained and that waste material is appropriately disposed of.

**Policy**

It is policy that:

- Horticultural structures only be allowed if they are required for a sustainable intensive horticultural operation and if they are within a rural area where such activities are part of normal agricultural activities carried out.

- In other areas, horticultural structures only be allowed if there is a demonstrated intensive agricultural need and it can be shown that the structure will not adversely affect any established land uses in the area or any landscape or environmental values.

- If horticultural structures are proposed to be constructed on land included in Schedules 2, 4, 5 or 6 to the Green Wedge Zone (GWZ2, GWZ4, GWZ5 or GWZ6) it be demonstrated that:
  - Exceptional circumstances require the horticultural structure to be on the land.
  - The horticultural structure is required for a sustainable intensive agricultural use.
  - The horticultural structure will not detract from the landscape character or other environmental values of the area and, in particular, the maintenance of native vegetation.

- The total area of all horticultural structures on any land in a Rural Conservation Zone, or Green Wedge A Zone or on land included in Schedules 2 or 6 to the Green Wedge Zone (GWZ2 or GWZ6) not exceed 3,000 square metres.

**Site coverage**

- The site coverage of horticultural structures reflect the particular site conditions, including the steepness of the land, the visibility of the site, areas of established tree planting, screen planting proposed and the adjoining land uses.

- Horticultural structures not exceed a site coverage of 60 percent.

**Irrigation and stormwater management**

- Appropriate measures be taken to:
  - Ensure that stormwater and irrigation runoff does not cause soil erosion problems or increase risk of landslip.
  - Minimise the nutrient and sediment laden runoff from any site.

- Irrigation and stormwater runoff from the horticultural structures be collected and disposed of or contained, treated and recycled on site, to the satisfaction of the Council which will be guided by industry defined ‘best practice’ or the requirements of any statutory regulations or guidelines.

**Earthworks**

- No cut or fill exceed a maximum depth or height of one metre, unless it is demonstrated that the works will not increase the risk of soil erosion or landslip or increase the level of visual intrusion.

**Minimising landslip risk**

- Landslip risk be minimised by:
  - Avoiding slopes of 20 percent (1 in 5) or more, wherever possible.
- Ensuring that runoff is not concentrated on to one part of the site.
- Avoiding ground disturbance and vegetation removal.

**Removal of remnant vegetation**

- Vegetation not be removed to provide for the development of a horticultural structure, without a planning permit, unless exempted by the Vegetation Protection provisions contained in the schedule to Clause 51.03.

- In considering any proposal to remove vegetation for the development of a horticultural structure, Council will have regard to the botanical significance of the vegetation, its role as wildlife habitat, its contribution to the landscape character of the area and the value of the vegetation in screening and softening the appearance of existing and proposed structures and land uses on the site.

**Screen planting**

- Where appropriate, planting be provided to effectively screen views of horticultural structures from adjoining main roads and tourist routes and nearby residential zones. Screen planting provided should be compatible with the landscape character of the area and may comprise stock plants.

**External cladding**

- Horticultural structures be exempt from any requirement of this planning scheme that external cladding materials be non-reflective and of subdued colour.

- The reflectivity of the cladding material, its impact on the surrounding landscape and the need for any screening or resiting to minimise impacts be considered by the responsible authority when dealing with any application for a horticultural structure.

**Maintenance and disposal of cladding**

- The cladding of horticultural structures be maintained in good condition at all times. A maintenance condition will be placed on planning permits.

- Any plastic or other material used in the cladding of a horticultural structure, when no longer suitable for such use, be disposed of in an environmentally sensitive manner.

- Waste cladding material not be burnt or buried on-site.

**Rehabilitation of sites**

- If a horticultural structure is no longer required, the site be restored and rehabilitated to enable reuse of the soil resource.
ADVERTISING SIGNS

This local planning policy applies to all advertising signs displayed throughout the Shire.

Policy basis

The Shire is an area of significant natural beauty and its townships and built environments have great charm. Residents have been attracted to the Shire by the beauty of its natural and built landscapes. A significant tourist economy has been built around the visual attractions of the Shire and many of its landscapes are either ‘classified’ or ‘recorded’ by the National Trust of Australia (Victoria).

Whilst there is a need to provide effective identification of businesses in the area, particularly for the many tourist attractions, proliferation of advertising signs and poorly designed and located signs can significantly detract from the special landscapes and high visual amenity of the Shire.

There is a need therefore to appropriately control advertising signs, to ensure that they are compatible with the character of the area in which they are to be located and the building or site on which they are to be displayed, and to avoid creation of visual disorder and sign clutter.

Sign clutter can also reduce the effectiveness of individual signs. Signs can be lost in the proliferation of signage, and there is a need therefore to control sign clutter to ensure that businesses can be clearly identified.

Objectives

The objectives of this policy are to ensure that:

- Signs provide appropriate and effective identification of businesses and other land uses requiring identification.
- Signs do not detract from the amenity and streetscape or landscape character of the surrounding area.
- Signs do not detract from the appearance or architecture of the building on which it is displayed.
- The size and height of signs are compatible with the scale of the building or site on which they are displayed, the surrounding streetscape or landscape and the size and nature of other signs in the area.
- Encouragement is given to the use of sign themes in commercial areas and to ensure that signs are compatible with any advertising pattern or theme that has been developed for the area.
- Sign clutter is avoided or reduced so as to maintain or enhance the built and natural environments of the Shire and in order to maximise the effectiveness of individual identification signs.
- Signs do not create any form of traffic hazard.

Policy

It is policy that:

- Signs only be located on land to which the sign relates.
- Signs promote effective and appropriate identification of businesses and other land uses through:
  - Reduction or avoidance of sign clutter so as to enhance the visibility of individual signs and to maintain and enhance local visual amenity.
  - Discouragement of repetitive signs.
  - Encouragement of well designed, legible and appropriately located signs.
  - Encouragement of prominently displayed street numbers on properties.
• The size, height, design and location of signs be compatible with, and preferably enhance, the distinctive streetscape or landscape character of the area, including the architectural and historic features of prominent buildings.

• Signs not be attached to trees or other natural features.

• Flashing or animated signs be avoided.

• Signs be sited and designed to avoid creating a hazard to pedestrian safety.

• If new or additional signs are proposed for an existing use or development, consideration be given to rationalising all signs on the property, in accordance with this policy.

**Rural Areas and Rural Living Areas**

• In Rural Areas and Rural Living Areas, signs be:
  - Unobtrusive and fit with the rural landscape character of the area.
  - Limited to the minimum necessary to identify the premises.
  - Appropriate to the scale of the development and the size of the site.
  - Of colours that are unobtrusive and compatible with the surrounding landscape.
  - Only illuminated if they relate to a permitted business which operates at night and only if there will be no spillage of light that causes a distraction to motorists or adjoining residents.

**Residential Areas**

• In Residential Areas, signs be:
  - Unobtrusive and fit with the residential character of the area.
  - Limited to the minimum necessary to identify the premises.
  - Appropriate to the scale of the development and the size of the site.
  - Of colours that are unobtrusive and compatible with the surrounding residential streetscape.
  - Only illuminated if they relate to a permitted business which operates at night and only if there will be no spillage of light that causes a distraction to motorists or if the sign will not be visible from residential properties.

**Commercial Centres and Industrial Areas**

• In Commercial Centres and Industrial Areas, signs be:
  - Compatible with the streetscape and distinctive character of the centre and not contribute to sign clutter.
  - Generally located on the land or building to which they relate.
  - Compatible with the scale and character, and respect the design, of the building on which they are displayed.
  - Located so as to not cover windows and other building detailing and to not project beyond the lines of the building on which they are displayed.
  - Compatible with any sign theme that has been developed for the area by local businesses or the Council.
  - Designed and located so as to not cause a traffic hazard, through:
    - Obstruction of a driver’s line of sight.
    - Obstruction of a driver’s view of a traffic sign or signal, or likely detraction from the conspicuousness of traffic signs and signals through the creation of background clutter.
- Dazzling or distraction of drivers due to the sign’s size, design, colouring, illumination or animation.
- Distraction to motorists, particularly in locations requiring high driver concentration.
- Potential to be confused with traffic signals.
- Other potential hazards identified by the Roads Corporation or responsible authority.

Chirnside Park Activity Centre

- External facades or walls of buildings not to be painted or coloured in a manner that creates a form of advertising.
- Sky signs, pole signs, panel signs and promotional signs not to be of a height and, or dimensions that detract from the landscape character of Maroondah Highway.
- Signs not to be located on roofs of buildings or above the parapet of a building.
- Signs not to be animated.
VEGETATION PROTECTION

This local planning policy applies to proposals if a permit is required to remove vegetation. Permission for the removal of vegetation is required under the provisions of Clause 51.03 of this planning scheme. The provisions of the Environmental Significance Overlay and Significant Landscape Overlay also require permission for the removal of vegetation. Each of these provisions contain exemptions from permit requirements in certain circumstances.

Policy basis

The protection and enhancement of the Shire’s rich biodiversity is a prime objective of this planning scheme. The retention and rehabilitation of remnant vegetation is fundamental to retaining the vast range of wildlife habitats throughout the Shire. The Environment strategies identified in Clause 21.07 of the Municipal Strategic Statement identify the need to protect significant vegetation through appropriate controls and policies.

Remnant vegetation is one of the most significant natural resources of the Shire. It is widely recognised that clearing of remnant vegetation is a major factor in land degradation, leading to reduced agricultural production, nutrient loss, soil erosion, and silting and pollution of waterways.

The loss of areas of remnant vegetation also leads to the decline of natural ecological systems through the loss of wildlife habitat and depletion of the genetic diversity in plants and animals.

Remnant vegetation areas are sensitive to disturbance through indiscriminate and incremental clearing which can result in the intrusion of environmental weeds and the loss of habitat for plants and animals.

Remnant vegetation also provides a source of seeds and other propagation material for revegetation of degraded areas with native plant species which are indigenous to the area within which they are to be used.

Vegetation, including both remnant vegetation and plantings of mature exotic species, are also important features of the Shire’s scenic landscapes and contribute to the unique character of rural and green wedge areas, townships and many residential areas.

It is also necessary to recognise the needs of fire hazard management and of integrating approved fire management practices with the protection of remnant vegetation, particularly in areas covered by an Environmental Significance Overlay.

Objectives

The objectives of this policy are to:

- Recognise the importance of remnant vegetation in providing wildlife habitat and corridors for wildlife movement, as a source of genetic diversity, as a place for recreation and as an important feature of the special landscape character of the Shire.

- Ensure that consideration is given to the effect of the removal of vegetation when assessing proposals to use and develop land.

- Protect and enhance the long term viability of all remnant vegetation, whether in a bushland, rural, green wedge or urban environment, especially if the vegetation is generally undisturbed.

- Ensure the conservation of remnant vegetation to sustain and enhance natural ecosystems for both plants and animals.

- Ensure that agricultural and land management practices protect and provide for the long term maintenance of remnant vegetation.

- Ensure that the clearing of remnant vegetation will not have any adverse effect on landscape values, wildlife habitat and wildlife corridors or lead to land degradation through soil erosion or loss of water quality.
Protect and maintain vegetation communities and species of botanical significance, ensuring none are unnecessarily removed, threatened or destroyed.

Conserve and protect the habitat of native fauna, especially species which are threatened or endangered.

Recognise the importance of riparian vegetation to the protection of water quality within streams and wetlands and to the wildlife habitat values of these areas.

Recognise the values of roadside vegetation and other linear reserves for retaining native vegetation, particularly if it is indigenous to the area within which it is growing, and maintaining and enhancing their value as movement corridors for wildlife.

Recognise the landscape importance of mature plantings of exotic trees in rural, green wedge or farming areas and in the urban built environment and the contribution that the vegetation makes in defining the character of the area.

Recognise the importance of vegetation in assisting soil stability in areas of high landslip risk and ensure that the effects of vegetation removal in these areas are kept to a minimum.

Promote re-vegetation with native species, that are indigenous to the area within which they are to be used, as a means to increase and enhance areas of remnant bushland in the Shire and to assist in the sound management of land.

Recognise that there is sufficient cleared land within the rural and green wedge areas of the Shire to provide for future agricultural, including farming, activities.

Policy

It is policy that:

- Applications to remove mature trees or remnant vegetation demonstrate the need to remove such vegetation.

- If it is proposed to remove vegetation to allow an approved use or development, and in order to conserve vegetation, consideration be given to whether there is any alternative location for the proposed buildings or works to avoid or minimise disturbance to the vegetation.

- Preference be given to proposals which demonstrate that a net environmental gain will be achieved by allowing limited vegetation removal whilst providing for the long term protection and enhancement of other remnant vegetation on the site or within the immediate area.

Removal of remnant vegetation

- Any proposal to remove remnant vegetation be accompanied by information showing:
  - The extent of the vegetation proposed to be removed.
  - The area and slope of the site.
  - The age and species of the vegetation proposed to be removed.
  - Where provision is to be made for replanting of native species, particularly those that are indigenous to the area, and other species.
  - How other remnant vegetation on the site, which is not proposed to be removed, will be conserved and managed.
  - That there is not an alternative means of providing for the proposed use or development of the land that would avoid, or minimise, the need to remove indigenous vegetation.

- In addition, if the removal of remnant vegetation is for an agricultural purpose:
  - The proposal demonstrate that the land from which the vegetation is being removed is capable of being used for productive agricultural purposes.
- The vegetation to be removed comprise only scattered trees or shrubs which do not form part of an extensive (0.4 hectare or greater) tract of remnant vegetation on the land.
- Intact remnant vegetation only be removed if it is demonstrated that the clearing forms part of an overall management proposal for the site which will ensure a net environmental gain through the long term protection and enhancement of other remnant vegetation or wetland areas on the site.

In addition, any proposal to remove remnant vegetation from land included in an Environmental Significance Overlay or to remove intact remnant vegetation, provide an assessment of:
- The quality of the vegetation in terms its diversity of species, level of disturbance and viability.
- The significance of the vegetation in terms of the rarity of its plant communities and of the individual plant or animal species occurring within the site.
- The likely effect of the removal of the vegetation (including dead trees suitable for nesting) on the fauna of the area and its value as a refuge, habitat or movement corridor for wildlife.
- The likely effect of the removal of the vegetation on the maintenance of water quality, and the prevention of soil erosion and land degradation.
- The future use and management of the land and whether planting, replanting, fencing or other treatment should be undertaken on any part of the land.
- How the proposed vegetation removal meets the objectives of this policy.

Remnant vegetation within wetland areas or adjoining any watercourse not be removed, unless it is demonstrated that a net ecological gain will be achieved.

Vegetation which forms part of a wildlife habitat corridor link between areas of intact remnant vegetation not be removed, unless it is demonstrated that a net ecological gain will be achieved.

Any removal of vegetation from a roadside have regard to any relevant roadside management plan or roadside vegetation significance inventory.

Vegetation only be removed from a roadside under the control of the Roads Corporation if the Corporation has given its agreement to the proposed vegetation removal.

**Landscape considerations**

- The vegetation to be removed not comprise windbreaks or other mature trees which are visually prominent landscape features in the locality.
- The removal of vegetation not significantly detract from the landscape character of the area, through the loss of continuous tree canopy in the locality or the exposure of visually intrusive buildings or other structures.
- Vegetation not be removed solely for the purpose of obtaining a view.
- Appropriate consideration be given to the effect of the proposed removal of vegetation on the future amenity of adjoining land.
- If the land is within a Significant Landscape Overlay, the removal of vegetation not detract from the key characteristics identified in the schedule to the overlay.

**Removal of vegetation on land liable to landslip or instability**

- If the land is within an Erosion Management Overlay:
Vegetation only be removed if it is required to facilitate a permitted use or development of the land and if opportunities for any net ecological gain have been considered.

Vegetation only be removed if there is no practical alternative form of development which would result in less destruction of the existing vegetation.

The responsible authority, before it grants a permit for the removal of vegetation, may require a geotechnical investigation of the land to establish whether the removal of vegetation would increase the risk of landslip or subsidence.

**Re-establishment of native vegetation**

- If an area of intact remnant vegetation is to be removed or destroyed:
  - It be replaced with at least an equivalent area of planting using native vegetation (trees, shrubs and grasses) that are indigenous to the area and that are appropriate to the site, to reinforce or restore existing environmental values on the land or within the general area surrounding it.
  - Measures such as fencing and weed control programs be taken to ensure the long term protection and enhancement of other intact remnant vegetation on the land or within the general area surrounding it.
- If a permit is granted to remove vegetation for agricultural purposes, the required replacement replanting be used to reinforce or restore existing environmental values on the land or within the general area surrounding it.
- In any landscaping or replanting requirement imposed under this planning scheme, preference be given to planting native species which are indigenous to the area within which they are to be planted, and which are suitable for the location and purpose sought for the replanting. These plantings should not include species that are listed as environmental weeds in this local planning policy (Clause 22.12-6).

**Vegetation protection within areas being considered for inclusion in an Environmental Significance Overlay**

In addition to the other provisions of this local planning policy, the following policy applies to:

- Land in the Mt Evelyn area that is generally bounded by Swansea Road, Old Gippsland Road, the outer boundary of residential zoned land east of Mt Evelyn and Olinda Creek.
- Any other land in the Shire that is the subject of further investigation to decide whether an Environmental Significance Overlay should be applied to the land.

It is policy that if remnant vegetation is proposed to be removed, appropriate consideration be given to the:

- Quality of the vegetation in terms of its diversity of species, level of disturbance and viability.
- Significance of the vegetation in terms of the rarity of its plant communities and of the individual plant or animal species occurring within the site.
- Likely effect of the removal of the vegetation on the fauna of the area and its value as a refuge, habitat or movement corridor for wildlife.
- Effect of the removal of the vegetation on the maintenance of water quality, and the prevention of soil erosion and land degradation.
- Potential of any native vegetation on the land to be enhanced or extended to increase its conservation value as a wildlife habitat or corridor link.
- Future use of the land and whether planting, replanting, fencing or other treatment should be undertaken on any part of the land.
**Meaning of terms**

The following interpretations apply to terms used in this local planning policy:

**Exotic vegetation**

Any plant species which does not occur naturally in the locality in which it is growing.

**Intact remnant vegetation**

Remnant vegetation comprising plant associations that are generally undisturbed by clearing or weed infestation.

**Native vegetation**

Any plant species which occurs naturally in the locality in which it is growing.

**Net ecological gain**

An arrangement where the proposed development and subsequent management regimes would achieve a substantial improvement to the viability, extent or quality of the conservation values of the site.

**Remnant vegetation**

Naturally occurring native vegetation which has not been planted or artificially established on the site.

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**Environmental weeds within the Shire of Yarra Ranges**

The following species of vegetation are deemed to be environmental weeds within the Shire of Yarra Ranges:

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Lily</td>
<td>Agapanthus praecox ssp. orientalis</td>
</tr>
<tr>
<td>Alkante</td>
<td>Pentaglottis sepervirens</td>
</tr>
<tr>
<td>American Aspen</td>
<td>Populus tremuloides</td>
</tr>
<tr>
<td>Angled Onion*</td>
<td>Allium triquetrum</td>
</tr>
<tr>
<td>Apple</td>
<td>Malus spp.</td>
</tr>
<tr>
<td>Asparagus Fern</td>
<td>Myrsiphyllum scandens</td>
</tr>
<tr>
<td>Banana Passionfruit</td>
<td>Passiflora sp. aff. Mollissima</td>
</tr>
<tr>
<td></td>
<td>(syn. Jacsonia mollissima)</td>
</tr>
<tr>
<td>Belladonna Lily</td>
<td>Amaryllis belladonna</td>
</tr>
<tr>
<td>Berry-flower Heath</td>
<td>Erica baccans</td>
</tr>
<tr>
<td>Bindweeds</td>
<td>Convolvulus spp.</td>
</tr>
<tr>
<td>Blackberry*</td>
<td>Rubus fruticosus spp. agg.</td>
</tr>
<tr>
<td>Black Locust</td>
<td>Robinia pseudacacia</td>
</tr>
<tr>
<td>Bloukeur (Pinnate Scurf-Pea)</td>
<td>Psoralea pinnata</td>
</tr>
<tr>
<td>Blue-bell Creeper</td>
<td>Sollya heterophylla</td>
</tr>
<tr>
<td>Blue Periwinkle</td>
<td>Vinca major</td>
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<tr>
<td>Boneseed*</td>
<td>Chrysanthemoides monilifera</td>
</tr>
<tr>
<td>Bulbil Watsonia*</td>
<td>Watsonia meriana</td>
</tr>
<tr>
<td>Common Name</td>
<td>Botanical Name</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>Butterfly Bush</td>
<td>Buddleia variabilis (syn. veitchianus)</td>
</tr>
<tr>
<td>Cape Broom*</td>
<td>Genista monspessulana</td>
</tr>
<tr>
<td>Cape Ivy</td>
<td>Delairea odorata</td>
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<tr>
<td>Cape Wattle</td>
<td>Paraserianthis lopantha</td>
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<tr>
<td>Caucasian Ash</td>
<td>Fraxinus oxycarpa</td>
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<tr>
<td>Cedar Wattle</td>
<td>Acacia elata</td>
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<tr>
<td>Cestrum</td>
<td>Cestrum elegans</td>
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<tr>
<td>Cherry Laurel</td>
<td>Prunus laurocerasus</td>
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<tr>
<td>Cherry Plum</td>
<td>Prunus cerasifera</td>
</tr>
<tr>
<td>Common Dipogon (Dolichos)</td>
<td>Dipogon lignosus</td>
</tr>
<tr>
<td>Common Evening Primrose</td>
<td>Oenothera stricta</td>
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<tr>
<td>Common Forget-me-not</td>
<td>Myosotis sylvatica</td>
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<tr>
<td>Cootamundra Wattle</td>
<td>Acacia baileyana</td>
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<tr>
<td>Cotoneaster</td>
<td>Cotoneaster spp.</td>
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<tr>
<td>Creeping Buttercup</td>
<td>Ranunculus repens</td>
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<tr>
<td>Darwin's Berberry</td>
<td>Berberis darwinii</td>
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<tr>
<td>Early Black Wattle</td>
<td>Acacia decurrens</td>
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<tr>
<td>English Broom*</td>
<td>Cytisus scoparius</td>
</tr>
<tr>
<td>English Ivy</td>
<td>Hedera helix</td>
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<tr>
<td>Euryops</td>
<td>Euryops abrotanifolius</td>
</tr>
<tr>
<td>Evergreen Dogwood</td>
<td>Cornus capitata</td>
</tr>
<tr>
<td>False Wattle</td>
<td>Albizia lopnatha</td>
</tr>
<tr>
<td>Fennel</td>
<td>Foeniculum vulgare</td>
</tr>
<tr>
<td>Firethorns</td>
<td>Pyracantha spp.</td>
</tr>
<tr>
<td>Flax Leaf Broom*</td>
<td>Genista linifolia</td>
</tr>
<tr>
<td>Fragrant Violet</td>
<td>Viola odorata</td>
</tr>
<tr>
<td>Giant Honey Myrtle</td>
<td>Melaleuca armillaris</td>
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<tr>
<td>Golden Wreath Wattle</td>
<td>Acacia saligna</td>
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<tr>
<td>Great Mullein</td>
<td>Verbascum thapsus</td>
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<tr>
<td>Hawthorn*</td>
<td>Crataegus monogyna</td>
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<tr>
<td>Hemlock</td>
<td>Conium maculatum</td>
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<tr>
<td>Himalayan Honeysuckle</td>
<td>Leycesteria formosa</td>
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<tr>
<td>Holly</td>
<td>Ilex aquifolium</td>
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<tr>
<td>Honey Myrtle</td>
<td>Melaleuca hypericifolia</td>
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<tr>
<td>Italian Buckthorn</td>
<td>Rhamnus alaternus</td>
</tr>
<tr>
<td>Japanese Honeysuckle</td>
<td>Lonicera japonica</td>
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<tr>
<td>Common Name</td>
<td>Botanical Name</td>
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<tr>
<td>------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Karamu</td>
<td>Coprosma robusta</td>
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<tr>
<td>Karo</td>
<td>Pittosporum crassifolium</td>
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<tr>
<td>Laurestinus</td>
<td>Viburnum tinus</td>
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<tr>
<td>Manna Ash</td>
<td>Fraxinus ornus</td>
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<tr>
<td>Montbretia</td>
<td>Crocosmia x crocosmiifolia</td>
</tr>
<tr>
<td>Morning Glory</td>
<td>Ipomoea indica</td>
</tr>
<tr>
<td>Myrtle Leaf Milkwort</td>
<td>Polygalia myrtifolia</td>
</tr>
<tr>
<td>Pampas Grass</td>
<td>Cortaderia selloana</td>
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<tr>
<td>Peruvian Lily</td>
<td>Alstromeria aurea</td>
</tr>
<tr>
<td>Plum</td>
<td>Prunus spp.</td>
</tr>
<tr>
<td>Portugal Laurel</td>
<td>Prunus lusitanica</td>
</tr>
<tr>
<td>Prickly Pear</td>
<td>Opuntia aurantiaca</td>
</tr>
<tr>
<td>Privet</td>
<td>Ligustrum vulgare</td>
</tr>
<tr>
<td>Quaking Grass</td>
<td>Briza maxima</td>
</tr>
<tr>
<td>Radiata (Monterey) Pine</td>
<td>Pinus radiata</td>
</tr>
<tr>
<td>Rosy Watsonia</td>
<td>Watsonia borbonica</td>
</tr>
<tr>
<td>Sallow Wattle</td>
<td>Acacia longifolia</td>
</tr>
<tr>
<td>Shasta Daisy</td>
<td>Chrysanthemum maximum</td>
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<tr>
<td>Smilax</td>
<td>Myrsiphyllum asparagoides</td>
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<tr>
<td>Spanish Heath</td>
<td>Erica lusitanica</td>
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<tr>
<td>Sticky Hop Bush</td>
<td>Dodonea viscosa</td>
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<tr>
<td>Strawberry Tree</td>
<td>Arbutus unedo</td>
</tr>
<tr>
<td>Sweet Briar</td>
<td>Rosa rubiginosa</td>
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<tr>
<td>Sweet Pea</td>
<td>Lathyrus latifolius</td>
</tr>
<tr>
<td>Sweet Pittosporum</td>
<td>Pittosporum undulatum</td>
</tr>
<tr>
<td>Sycamore Maple</td>
<td>Acer pseudo-platanus</td>
</tr>
<tr>
<td>Tall Fleabane</td>
<td>Conyza bonariensis</td>
</tr>
<tr>
<td>Taupata</td>
<td>Coprosma repens</td>
</tr>
<tr>
<td>Tree Lucerne</td>
<td>Cytisus palmensis</td>
</tr>
<tr>
<td>Tree Tobacco</td>
<td>Solanum mauritianum</td>
</tr>
<tr>
<td>Tutsan*</td>
<td>Hypericum androsaemum</td>
</tr>
<tr>
<td>Wandering Jew</td>
<td>Tradescantia fluminensis</td>
</tr>
<tr>
<td>White Arum Lily</td>
<td>Zantedeschia aethiopica</td>
</tr>
<tr>
<td>White Sallow Wattle</td>
<td>Acacia floribunda</td>
</tr>
<tr>
<td>Willow</td>
<td>Salix spp.</td>
</tr>
<tr>
<td>Willow Hakea</td>
<td>Hakea salicifolia</td>
</tr>
<tr>
<td>Wood Violet</td>
<td>Viola riviniana</td>
</tr>
</tbody>
</table>
*A 'Noxious Weed' under the Catchment and Land Protection Act 1994.
CHIRNSIDE PARK ACTIVITY CENTRE

This local planning policy applies to all land within the designated major activity centre of Chirnside Park. The extent of this major activity centre is shown on the map that forms part of this policy.

Policy Basis

The Chirnside Park activity centre is the dominant retail centre in Yarra Ranges and includes a large shopping complex and cinema entertainment facilities. It also includes a number of vacant and underutilised sites.

The Yarra Ranges Housing Strategy recognises that the activity centre offers significant opportunities to provide additional and more diverse forms of housing.

*The Chirnside Park Activity Centre Urban Design Master Plan September 2010 provides a framework for ensuring that the design of future development contributes to a distinctive, highly accessible and visually interesting activity centre.*

The implementation of Council’s strategic objectives for the activity centre will be a long term process. It is important to ensure that these objectives are not compromised by inappropriate land use and development decisions.

Objectives

- To create a thriving centre, comprising a broad range of retail, entertainment, commercial and community facilities clustered around a vibrant town centre and supported by higher density residential neighbourhoods.
- To significantly contribute to the diversity of conveniently located housing that is available in Yarra Ranges.
- To create a distinctive activity centre that provides an attractive gateway to Yarra Ranges.
- To ensure that future development is supported by improvements to traffic circulation infrastructure and the public open space network.

Policy

The following policies apply where a permit is required for use or development within the Chirnside Park activity centre. They should be considered in conjunction with any other relevant local planning policies. The precincts comprised within this activity centre are shown in the map that forms part of this policy.

General Land Use

It is policy that:

- The role of the Town Centre Precinct as the hub of the activity centre is strengthened by concentrating pedestrian oriented retail and related dining and entertainment facilities within it.
- Land uses that may result in the fragmentation of the Town Centre Precinct not be allowed in other Precincts.
- An urban park of approximately one hectare be established on land fronting the west side of Kimberley Drive opposite the Town Centre Precinct.
- Higher density housing which increases the availability and diversity of housing is encouraged on underutilised land with convenient access to the Town Centre Precinct.
- A diverse range of community facilities and businesses which will service the needs of people living within the activity centre are encouraged.
Residential, commercial, entertainment and retail uses which adopt a multi-level mixed use format are encouraged in the Mixed Use Precincts.

Industrial type land uses outside of the Industrial Precinct are discouraged.

**Town Centre Precinct**

It is policy that:

- Future land use and development:
  - Reinforces the role of the precinct as the primary retail area and main focus of pedestrian oriented activities within the activity centre.
  - Comprises a mix of high intensity retail, entertainment and other commercial activities.

- Retail and other commercial uses fronting Kimberley Drive adopt a form which promotes pedestrian activity in the street and linkages to the proposed Urban Park.

**Town Centre Buffer Precinct**

It is policy that:

- The interface between the town centre and established residential neighbourhoods is managed to protect the amenity of adjoining residential areas.

- Existing dwellings opposite the town centre may be converted to low intensity commercial uses that are compatible with adjoining residential uses.

- Any residential or commercial development which replaces existing dwellings is only undertaken on larger sites comprising consolidated lots.

**Mixed Use Precincts**

It is policy that:

- A multi-level mix of residential, office, entertainment, commercial and retail use is provided in a form that complements and reinforces the role of the Town Centre Precinct as the primary retail area, and which encourages multi-purpose trips to the Activity Centre.

- New mixed use development adopts a form which is compatible with adjoining residential neighbourhoods.

**Residential Precincts**

It is policy that:

- Future residential development:
  - Adopts multi level forms and higher densities which increase the diversity of housing and complement the other functions of the activity centre.
  - Is integrated with other development within the precinct and creates strong pedestrian and bicycle linkages to other precincts.
  - At the interface with adjoining residential areas beyond the activity centre, adopts a medium density form which is compatible with those adjoining areas.

- Mixed use development may be provided on the Kimberley Drive frontage south of Black Springs Road, if it promotes pedestrian activity, provides passive surveillance of the Urban Park, and is compatible with adjoining residential uses.

- Commercial or entertainment uses are discouraged in other residential precincts.

**Bulky Goods Precinct**

It is policy that:
Highway oriented bulky goods retail outlets are to be clustered within this precinct to create strong pedestrian linkages and maximise the opportunity for multi purpose trips.

**Industrial Precinct**

It is policy that:

- This precinct continues to provide opportunities for industrial activities that contribute to the diversity of employment opportunities in the activity centre.
- Industrial activities are to provide effective buffers to the adjoining residential neighbourhoods and are not to have adverse off site effects.
- The Maroondah Highway frontages of sites may be redeveloped for commercial uses in a form that enhances the prominent gateway location and the interface with Brushy Creek.

**Traffic and Access**

It is policy that:

- Any major redevelopment which significantly increases the floor area of the centre must be supported by a traffic and pedestrian management plan approved by the responsible authority.
- The number of additional vehicle access points on to the Maroondah Highway created through new development proposals is to be minimised.
- Changes in land use and new development are not to prejudice the ongoing effective operation of the Maroondah Highway both for traffic accessing the activity centre and for through traffic.

**Public Open Space**

It is policy that:

- Proposals for residential development within Residential precincts are to include the provision of public open space in a form that responds to the needs of new residents.
- New public open space areas are to be on sites with sufficient size and appropriate slopes that facilitate recreational use by local residents and the wider community.
- Areas of new public open space are to be located so that they can be:
  - Effectively used for recreational purposes.
  - Linked to pedestrian and cycle paths and to the wider open space network.
  - Integrated with natural features and incorporate water sensitive urban design features.
  - Provided with passive surveillance from adjoining land uses.

**Policy reference**

Chirnside Park Urban Design Master Plan (September 2010)
LILYDALE ACTIVITY CENTRE

This local planning policy applies to the precincts within the Lilydale activity centre as shown on the map that forms part of this policy.

Policy Basis

Lilydale is a major centre of business and employment activity that functions as the civic and administrative centre for the Shire. It is an important employment hub for industry, and a key location for convenience shopping, education and other commercial functions. The activity centre also provides a range of businesses and activities that service the needs of agricultural producers and rural industries of the Yarra Valley.

Commercial development is widely dispersed over an extensive area that includes many underdeveloped sites. The activity centre does not have a strong hub of commercial and pedestrian activity.

The Shire’s Housing Strategy identifies that the Lilydale activity centre offers significant opportunities to provide for additional housing. Medium density housing is scattered throughout these residential precincts, although some areas contain valued neighbourhood characteristics that limit the scope for extensive redevelopment.

The intrusion of commercial activities into adjoining residential precincts has led to the further dispersal of the centre and eroded opportunities for higher density housing.

Objectives

- To reinforce Lilydale’s role as a centre that provides a wide range of retail, employment, business, residential, community, entertainment and transport services.
- To create a vibrant town centre with a strong hub of commercial and pedestrian activity centred on the Main Street.
- To consolidate commercial activity within established business zoned areas.
- Avoid the incremental loss of residential development opportunities as a result of the intrusion of commercial activities into adjoining residential precincts.
- To provide for higher density housing in residential precincts in a form that respects valued neighbourhood characteristics.
- To encourage mixed-use activities with residential use on upper levels of commercial buildings.
- To promote high standards of urban design so that new development makes a positive contribution to the appearance of the activity centre.
- To protect and enhance properties and features which have recognised heritage significance.
- To create an accessible and convenient centre which gives priority to people with disabilities, pedestrians, cyclists, and public transport users.

Policy

The following policies apply where a permit is required for use or development within the Lilydale major activity centre. They should be considered in conjunction with any other relevant local planning policies. The precincts comprised within this activity centre are shown in the map that forms part of this policy.

Commercial precincts

It is policy to:

- Maintain the Main Street shopping strip as the focus of retail and civic activity for Lilydale.
- Create a clearly identifiable ‘retail hub’ around the two supermarket developments on the south side of Maroondah Highway and generally in the area between Hutchinson Street and Olinda Creek.

- Create a more compact retail area focussed on the ‘retail hub’ and the Main Street.

- Consolidate and redevelop underutilised sites for commercial uses that promote pedestrian activity and provide for upper level residential accommodation.

- Encourage the active use and enhancement of iconic buildings, such as the three hotels in the Maroondah Highway, and the Castella Street precinct, and promote the use of these buildings for hospitality, food and entertainment purposes.

- Provide additional café, dining, and recreational facilities within other retail areas of the centre.

- Redevelop sites on the fringe of commercial precincts for non retail and residential uses that will assist in consolidating the retail area and in providing additional housing in convenient locations.

- Encourage the inclusion of an element of higher density housing in proposals for redevelopment of major development sites.

- Relocate non pedestrian oriented service and industrial uses from sites in the Main Street precinct (Precinct A on Map) to more appropriate locations in other precincts which avoid conflict with pedestrian movements.

- Encourage businesses that take advantage of the connection with the Swinburne University campus and which provide housing and other services for students.

**Residential precincts**

It is policy to:

- Increase the number of dwellings in the precinct through the development of appropriately designed higher density housing.

- Encourage the development of accommodation that is diverse in type, size, scale, and affordability, and is accessible for people with disabilities.

- Prevent the intrusion of office, medical or other non residential land uses.

- Provide for specialised residential accommodation such as for aged people on the large undeveloped sites at the rear of commercial premises east of the Warburton Rail Trail.

- Retain residential use as the predominant activity on the properties fronting the Maroondah Highway between Anderson Street and the Warburton Rail Trail.

**Industrial precincts**

It is policy to:

- Strengthen the role of the precinct as a concentration of industrial activity and employment that complements the range of services and employment opportunities provided within the activity centre.

- Provide opportunities for service industrial uses to be relocated from sites within the commercial precincts.

- Ensure that new uses recognise the industrial role of the area and do not introduce incompatible activities that may prejudice the ongoing operation, or future expansion of industrial land use in the precinct.
Minimise the adverse impacts of industrial uses on adjoining residential areas, traffic movement within and through the precinct, and the general visual and built amenity of the area.

Provide the opportunity for the redevelopment of the Olex Cables site (northern frontage to the Maroondah Highway between Cave Hill Road and the railway) in a form that establishes an attractive entry to Lilydale and takes advantage of the site’s visually prominent location adjoining the transport interchange.

**Transport and Access**

It is policy to:

- Require that proposals for major new development are supported by a traffic management plan which provides for the needs of people with disabilities, pedestrians, cyclists, and public transport users.

- Improve opportunities for pedestrian and bicycle movement into and around the activity centre, and in particular connections to the Olinda Creek parklands, and the Warburton Rail Trail.

- Promote improved access throughout the centre for people with disabilities.

- Discourage additional vehicle access points onto the Maroondah Highway.

- Provide opportunities for mid-block pedestrian access between the Maroondah Highway and adjoining streets to the rear.

- Improve the connections between the transport interchange at Lilydale railway station and the rest of the centre.

- Retain the longer term opportunity for relocating the Lilydale railway station and transport interchange to land south of the Maroondah Highway.

- Ensure that new development abutting the route of the proposed Lilydale Bypass is designed to provide an appropriate interface to the road.

- Ensure that the design of the proposed Lilydale Bypass allows for pedestrian and bicycle access at regular intervals to connect the town centre to facilities such as Lilydale Lake and Swinburne University.

- Enhance the Olinda Creek parkland for recreation activities as part of a wider network which connects the town centre, Lilydale Lake, and the Warburton Rail Trail.

**Policy references**

- *Lilydale Major Activity Centre Structure Plan (June 2006)*
- *Lilydale Urban Improvement Project (July 2008)*
- *Yarra Ranges Housing Strategy (May 2009)*
GAMING MACHINES

This local planning policy applies to applications which require a permit to install or use land for the purpose of gaming in the Shire of Yarra Ranges.

Policy Basis

Clause 52.28 of this scheme requires a permit to install or use a gaming machine. This policy will guide decision making by implementing the findings of the Yarra Ranges Shire Discussion Paper – Gambling Planning Policy Framework, (2007) and the Yarra Ranges Shire Options Paper - Gambling Planning Policy Framework (2007).

The policy recognises that while gambling is a legal activity in Victoria, for some it leads to problem gambling which has a range of socio-economic consequences that adversely affect the health and wellbeing of individuals, their families and interpersonal relationships as well as the wider community.

There is some indication that there are relationships between distance, exposure, accessibility, socio-economic status and problem gambling. For this reason it is proposed to locate venues away from commercial and community hubs and areas of socio-economic disadvantage with the aim of protecting vulnerable communities.

The policy implements the objectives and strategies of Clause 21.04 of the Municipal Strategic Statement.

Objectives

To reduce the adverse health, social and economic impacts of gaming machines.
To minimise opportunities for convenience gambling and the incidence of problem gambling.
To ensure that the locality, site and venue are suitable for gaming machines and contribute to a net community benefit.
To reduce the impact of gaming machines on vulnerable communities.
To minimise the amenity impacts on existing uses surrounding venues containing gaming machines.

Policy

It is policy that proposals for gaming machines are assessed against the following criteria.

Appropriate Areas

Gaming machines should be located in areas:

- More than 1.5 kilometres from an Australian Bureau of Statistics collection district within the Shire that is within the most socio-economically disadvantaged 20 per cent as defined by the SEIFA index of relative disadvantage;
- Where there is a reasonable choice of alternative non-gaming entertainment and recreation facilities in the venue or in the local area. Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.

Gaming machines should not be located:

- In residential zones.

Appropriate Sites

Gaming machines should be located on sites that:

- Avoid a concentration of venues in a particular locality;
- Are more than 400 metres from:
- Sensitive community facilities including schools, kindergartens, child care centres, libraries, medical centres, churches and the offices of public and private welfare agencies.
- A shop or outlet predominantly selling food and/or other goods which cater for day-to-day needs such as supermarkets, milk bars, post offices and newsagents;
- A railway station or transport interchange;
- Another venue which operates gaming machines.

Gaming machines should not be located on sites that:
- Are in or at the edge of activity centres.

**Appropriate Venues**

Gaming machines should be located in venues that:
- Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue;
- Incorporate effective management and mitigation measures to minimise the risk of problem gambling;
- Have a gaming floor area less than 25 per cent of the total floor area of the venue;
- Have access to natural light and allows patron surveillance of outdoor areas;
- Have clear directional signs to all non-gambling amenities, including toilets and dining areas, from the gambling areas;
- Physically and visually separate the venue’s non-gambling activities from gambling activities;
- Are designed so that amenities for the venue’s non-gambling activities, including entrances and exits, toilets, automatic teller machines, meeting spaces and dining areas, can be accessed without entering the gambling area;
- Do not operate more than 16 hours per day.

Gaming machines should not be located in venues that:
- Will have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.

**Application requirements**

Applications must be accompanied, as appropriate, by:
- A written submission that includes:
  - Details about the existing and proposed distribution of gaming machines within the Shire;
  - Details of the relative socio-economic status of the area in which the venue is to be located and the broader 5 kilometre catchment of the venue in comparison to other areas of the municipality and the Melbourne and regional Victoria averages as defined in the ABS SEIFA;
  - An impact assessment, prepared by a suitably qualified and/or experienced person or persons to the satisfaction of the responsible authority, describing the health, social and economic impacts of the proposal, demonstrating how the proposed use will achieve a net community benefit and how and over what period of time the benefits are to be secured and distributed to the local community;
  - Details of any existing use of the land, including the range of activities, staff and patron numbers and hours of operation;
- Proposed operations, including staff and patron numbers, hours of operation and assessment of patronage numbers;

- A Traffic Impact Assessment and Parking Report, prepared by a suitably qualified and/or experienced traffic engineer, which assesses the existing traffic demand and parking provision for the existing venue and the need for improved traffic and pedestrian amenity, including any additional car parking based on the number of gaming machines proposed and likely additional venue patron numbers generated by this use;

- Details of how the venue is to be managed in order to minimise problem gambling and the impact on surrounding properties;

- Information outlining how the venue is to comply with the Victorian gaming regulations in relation to venue layout, design and operation;

- If it is proposed to move gaming machines from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation as to why the gaming machines are being transferred is to be provided.

- Plans & elevations, drawn to scale and dimensioned, showing:
  - The existing and proposed uses, including details of the location and layout of the gaming machines and any proposed car parking;
  - The location of relevant land uses and areas as follows:
    - Dwellings and sensitive community facilities within 400 metres;
    - Convenience shops, railway stations, transport interchanges, other gaming venues and areas of above average economic disadvantage as defined in the ABS SEIFA within a 1.5 kilometre radius;
    - Alternative non-gaming entertainment and recreation facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities within a 5 kilometre radius.

### Decision guidelines

Before deciding upon an application, the responsible authority must consider, as appropriate:

- Whether the application meets the requirements of this policy;

- The extent to which the proposal will have any significant adverse health, social or economic impacts and whether the proposed use will have a net community benefit;

- Whether the proposal is likely to have a significant adverse impact on a vulnerable community in the Shire of Yarra Ranges;

- Whether the location of the gaming venue will facilitate or discourage convenience gambling;

- The impact of the proposal on the amenity of the area and surrounding uses.

### References


MOOROOLBARK ACTIVITY CENTRE

This local planning policy applies to the precincts within the Mooroolbark Activity Centre as shown on the map that forms part of this policy.

Policy Basis

The Mooroolbark Neighbourhood Activity Centre (NAC) encompasses the civic/commercial core as well as its immediate residential environs. It is strategically significant in the Yarra Ranges municipality and well placed to accommodate change, being one of the very few activity centres focussed on a railway station and commercial centre with close proximity to services, several parks and associated community facilities, employment opportunities, and schools. The centre’s favourable location away from major arterial highways is conducive to urban consolidation and development as a non-car dependent urban village.

The Yarra Ranges Activity Centres Network Strategy identifies Mooroolbark as a Large Neighbourhood Activity Area/Town Centre, with a total shopfront floor area of 18,210 square metres (third-largest in the municipality after Chirnside Park and Lilydale). It notes that the centre has issues with limited supermarket provision and choice, and poor performance of the Mooroolbark Terrace Shopping Centre, but also has opportunities for redevelopment of the Terrace site and building on the existing physical layout of the centre.

The Mooroolbark Activity Centre should complement rather than compete with Lilydale and Chirnside Park Activity Centres.

The civic and commercial core of Mooroolbark has a natural geographic focus around Brice Avenue, with a logical geographic area defined by the railway line to the north, Manchester Road to the west and Hull Road to the south-east. Some centre-based activity has ‘spilled over’ from this area, such as the shops and medical facilities on the west side of Manchester Road. Dispersed commercial development of this kind will compromise the overall functionality and attractiveness of the centre. Commercial development should remain focussed on the twin axes of Brice Avenue and Manchester Road east.

Objectives

- To create a more vibrant and visually interesting neighbourhood centre that establishes a safe and friendly ‘village’ identity, providing for people of all ages and levels of mobility.
- To rejuvenate, revitalize and consolidate the Mooroolbark Civic & Commercial Precinct.
- To provide additional and more diverse quality housing by increasing the dwelling density in the town centre and adjoining residential precincts within walking distance of the train station.
- To enhance the potential natural environment of Brushy Creek.
- To encourage pedestrian activity and create pleasant safe places for people to relax and meet.
- To enhance and improve connectivity of the existing areas of open space in the Mooroolbark Activity Centre, making them safer and more enjoyable to use by the community.

Policy

Housing & Mixed-Use Opportunities

It is policy that:

- The total number and diversity of dwellings in the activity centre be increased, with an emphasis on the provision of one and two bedroom dwellings in well designed new buildings that contribute to the complexity and diversity of the centre.
- Higher density housing and/or mixed retail/office/residential buildings be encouraged within the civic/commercial core, particularly on the key redevelopment sites, including the Mooroolbark Terrace Shopping Centre and the railway station car park.

- Affordable housing be encouraged where significant renewal sites exist, particularly in the Council owned Station Street site.

**Civic and Commercial Precinct**

It is policy that:

- The existing civic and commercial precinct be maintained and strengthened as the key focal point for activity within the centre.

- Accessibility and amenity of local businesses and community facilities be improved.

- Activities which increase the vitality of the centre, such as convenience and comparison retail, community services, additional café, dining, entertainment and recreational facilities be concentrated within the precinct, and that further dispersal of these activities to other precincts be avoided.

- Innovative redevelopment be encouraged comprising mixed retail/office/residential buildings, with underground car parking and shopping at street level.

- Redevelopment of the Terrace Shopping Centre be prioritised to improve the Mooroolbark NAC.

**Transport and access**

It is policy that:

- A movement network be created that supports a vibrant ‘village atmosphere’ where pedestrians and cyclists are encouraged to move freely within the town centre and between key destinations.

- Public transport is supported and encouraged, including the provision of options such as bus shelters and park and ride.

- The town centre and railway station are consolidated as a hub for bicycle facilities with linkages to nearby facilities and surrounding residential neighbourhoods.

- Traffic permeability is enhanced through the area, so that walkways, bike paths and traffic flow are improved; cars can move slowly and safely; local freight such as deliveries can access their destinations; and mobility impaired pedestrians are able to move freely.

- Suitable levels of security and surveillance supplement the proposed car parking and movement network to encourage the use of these facilities.

- The density of housing and mixed use development within close proximity of the town centre and transit interchange be increased to support increased use of public transport.

- Reduced car parking provision in new development be allowed in locations close to efficient public transport.

- Multi-use development on redevelopment sites with decked parking for commuters be encouraged.

- Undercroft or decked car parking be encouraged in all future commercial and mixed use development in the civic and commercial precinct, with minimal parking at the street frontage.

**Open Space**

It is policy that:

- Brushy Creek and associated parkland be rehabilitated to positively contribute to the local environment.
- Development on sites adjoining Brushy Creek reinforce the presence of the creek by strengthening the connections between Brushy Creek and the town centre, railway line, open space, community facilities and surrounding residential neighbourhoods.

- Hookey Park be redeveloped as a central ‘village green’ for social recreation.

- Development of sites adjoining and adjacent to Hookey Park sympathetically interface with the park, by encouraging interaction with the park and increasing passive surveillance.

Policy references

Mooroolbark Activity Centre Structure Plan (March 2011)
Yarra Ranges Housing Strategy (May 2009)
Yarra Ranges Activity Centres Network Strategy (April 2013)
SYMONS STREET HEALESVILLE RESIDENTIAL PRECINCT

This local planning policy applies to all land in the Symons Street Residential Precinct as identified in the precinct map in this Clause and shown as HO427 on the Planning Scheme maps.

Policy Basis

This policy builds on Clauses 15.03, 21.06 and 43.01 to protect and conserve cultural heritage by providing specific guidelines for the Symons Street Residential Precinct.

Symons Street Residential Precinct is of local historical and aesthetic significance as a long standing residential area in Healesville. Some of the allotments were purchased in the 1865 land sales, after the initial township survey. Significant and contributory buildings range from 1880s to 1940s including late Victorian/ Federation to interwar architectural styles. The precinct features a mix of modest and larger buildings, mostly constructed of timber with varying setbacks to the street.

Symons Street is a divided road with mature gardens and trees with a high and low side. The precinct attracted prominent and affluent members of the community and guesthouses to take advantage of the views and close proximity to Healesville main street. The buildings were often built to adapt to the sloping allotments in a picturesque setting.

Healesville’s history of tourism is also highlighted in the historic guesthouses contained in the precinct.

Grading / Definitions

The relevant definitions of significant, contributory and non-contributory are taken from the Healesville Heritage Project Symons Street Residential Precinct prepared by Lovell Chen (finalised 2015).

**Significant** buildings in the precinct are individually important in the precinct context, because they exhibit particular architectural merit or other notable and distinguishing characteristics; they may be large and / or more prominent dwellings; they are also typically intact, although some visible external changes may be evident (as seen from the streetscape). A property of particular historical importance may also be significant.

**Contributory** buildings are also generally externally intact, but minor changes to the principal facades of these dwellings may be evident. They are typically less architecturally distinguished or prominent than the ‘significant’ buildings. For contributory buildings, some additions may also be visible including potentially additions to the rear of dwellings.

**Non–contributory** buildings include more recent development of little or no architectural merit or heritage character; and earlier buildings which have been significantly modified and where alterations have diminished the heritage value and character. These properties are included in the proposed precinct due to their particular location, which may be sensitive in terms of future precinct management and conservation.

Policy Objectives

The objectives of this policy are to:

- Ensure development maintains the prominence of the significant and contributory buildings.
- Ensure development integrates with the surrounding heritage buildings and streetscape.
- Encourage development that enhances the character and appearance of the heritage precinct and adopts a contemporary interpretation of traditional forms.
- Ensure new development does not dominate the heritage precinct.
- Maintain the architectural integrity and character of significant and contributory buildings.
• Ensure development of non-contributory buildings are considered in the context of their impact on significant and contributory buildings and the streetscape.

• Protect and maintain the trees that contribute to the heritage significance of the precinct.

22.10-3
18/06/2015
C131

Policy
It is policy to:

• Consider the relevant heritage study, giving particular regard to the statement of significance.

• Ensure the overall form of development reflects the bulk, form, setbacks and appearance of typical contributory and significant heritage buildings.

• Discourage changes to the principal facade or principal visible roof form of significant and contributory buildings.

• Maintain the rhythm of spacing and side setbacks between dwellings.

• Maintain the consistency, where present, of contributory and significant building front setbacks.

• Ensure the height of development does not exceed adjoining contributory or significant buildings.

• Discourage alterations or additions which obscure, alter or remove original features and details that contribute to the significance of the place.

• Ensure alterations and additions are designed in a manner that responds to, is respectful of and compatible with the built form and architectural treatment of the heritage place.

• Encourage additions to significant and contributory buildings at the rear or side where they are less visible from the street and can be distinguished from the original building.

• Encourage upper level additions to be sited behind the principal visible roof so they are less visible from the street.

• Encourage new development to be distinguishable.

• Encourage the removal of elements which are intrusive to the heritage significance.

• Encourage the use of traditional construction materials.

• Minimise earthworks by ensuring buildings respond to the contours of the site.

Garages, carports and sheds

• Locate garages, carport and sheds so as not to project forward of the front facade of the dwelling.

• Encourage garages, carport and sheds to have roof forms and materials that complement the dwelling, if visible from the street.

• Discourage the creation of additional vehicle crossovers.

Fences

• Encourage the retention and conservation of fences and gates that are a feature of significant and contributory heritage places.

• Encourage fences that complement the style and period of construction in terms of height, materials and design of the significant or contributory heritage buildings, or in the case of non-contributory buildings in the precinct.

• Ensure fencing does not obscure views to the front facade of significant or contributory buildings.

22.10-4
18/06/2015
C131

Policy reference

• Healesville Heritage Project Symons Street Residential Precinct (Lovell Chen, finalised 2015)
HEALESVILLE COMMERCIAL PRECINCT

This policy applies to all land in the Healesville Commercial Precinct as identified in the precinct map included in this clause. Shown on the Planning Scheme maps as HO428.

Policy Basis

This policy builds on Clauses 15.03, 21.06 and 43.01 to protect and conserve cultural heritage by providing specific guidelines for the Healesville Commercial Precinct.

Healesville Commercial Precinct is of local historical, social and aesthetic/architectural significance as a long standing shopping strip in Healesville. Known as Nicholson Street, the street was named after the Premier of Victoria between 1859 and 1860. Nicholson Street emerged after the town survey in 1865 as the main street through Healesville. Significant and contributory buildings range from 1880s to post World War II. Nicholson Street has historically contained diverse business activities supporting local tourists as well as residents.

Situated on a terraced hillside and lined with mature trees, Nicholson Street generally contains, two storey buildings located on the high side and single storey on the low side of the street.

Gradings / Definitions

The relevant definitions of significant, contributory and non-contributory buildings have been taken from the Healesville Heritage Project, Healesville Commercial Precinct prepared by Lovell Chen (Finalised 2015).

Significant buildings include several prominent and/or particularly important historic buildings in the Healesville commercial context. These buildings are reasonably externally intact and are more architecturally distinguished than ‘contributory’ properties. They may also retain a higher degree of original fabric and integrity including unpainted brick and render finishes, original metal –framed or timber – framed glazing, leadlight, vitreous tiling to piers, in-goes and stall boards, and original or early parapet forms. This grading also includes buildings which are unusual elements in the commercial precinct (such as the Uniting Church and the former ‘Temora’ at 294 – 296 Nicholson Street).

Contributory buildings in the precinct are also comparatively externally intact, albeit typically less architecturally distinguished than ‘significant’ buildings. Over-painting original surfaces or finishes, as well as changing the shop fronts and in some cases first floor window are among the common alterations made to the ‘contributory’ commercial buildings. It is also recognised that changes to ground floor shop fronts is a common occurrence generally with historic commercial buildings.

Non–Contributory buildings include recent infill development, including post WWII development of little or no architectural merit or heritage character; earlier buildings which have been significantly modified and where the alterations have diminished the heritage value and character, and some recent ‘faux’ Victorian style shop buildings.

Policy Objectives

The objectives of this policy are to:

- Maintain the prominence of the significant and contributory buildings in the precinct.
- Ensure development integrates with surrounding heritage buildings and streetscape.
- Encourage new development that enhances the character and appearance of the heritage precinct and adopts a contemporary interpretation of traditional forms.
- Ensure new development does not dominate the heritage precinct.
- Maintain the architectural integrity and character of significant and contributory buildings.
- Ensure development of non-contributory buildings is considered in the context of their impact on significant and contributory buildings and the streetscape.

**Policy**

It is policy to:

- Consider the relevant heritage study, giving particular regard to the statement of significance.
- Protect and maintain the mature street trees. (covered by separate HO159)

**New buildings, alterations and additions**

- Ensure the overall form of development reflects the bulk, height, setbacks, form and appearance of typical contributory and significant heritage buildings.
- Discourage changes to the principal facade or visible roof form of significant and contributory buildings.
- Discourage alterations or additions which obscure, alter or remove original features and details that contribute to the significance of the place.
- Encourage alterations and additions to be designed in a manner that responds to and is compatible with the built form and architectural treatment of the heritage place.
- Encourage additions to significant and contributory buildings at the rear where they are less visible from the street.
- Encourage upper level additions to be sited behind the principal visible roof so they are less visible from the street.
- Ensure new development is clearly distinguishable as new buildings.
- Encourage the removal of elements which are intrusive to the heritage significance.
- Encourage the use of traditional construction materials.
- Retain shop fronts, doors and windows of significant and contributory buildings as important aspects of the public interface of retail premises and streetscape.
- Discourage the painting or rendering of unpainted surfaces.
- Discourage the installation of new windows and doors in the front facade or in areas that are visible to the public realm.
- Discourage the replacement of original timber window frames with alternative materials such as aluminium.

**Advertising signs**

- Ensure signs do not obscure or detract from any architectural feature of significance.
- Ensure signs complement the historic character of the building.
- Discourage the painting of buildings in corporate colours.

**Policy reference**

- *Healesville Heritage Project* (Lovell Chen Finalised 2015)
Healesville Commercial Precinct Map
HEALESVILLE DISTRICT

This policy applies to all the land in the Healesville district shown in Figure 1.

Figure 1 – Land to which this policy applies

Policy Basis

Healesville is an important regional centre in Yarra Ranges, serving the surrounding settlements of Badger Creek, Castella, Chum Creek, Mt Toolebewong and Toolangi. It is also a popular tourist destination for metropolitan Melbourne.

The civic and commercial core of the Healesville township is located along the spine of the Maroondah Highway. It is bounded by Wilson Street to the east and extends just beyond Church Street to the west. A further area of commercial activity is located further east on the Maroondah Highway, in the vicinity of Don Road.

The Yarra Ranges Activity Centres Network Strategy identifies Healesville as a Large Neighbourhood Activity Area/Town Centre. It has a total floor area of approximately 40,000 sq metres and businesses which cater for both local residents and tourists.

This policy is based on the vision, principles, strategic directions and strategic framework of the Healesville Structure Plan (August 2016), which establishes a framework for future land use, development and urban design in the Healesville district, with a focus on the Healesville town centre.

The vision for Healesville, identified in the Structure Plan, is that:

*Healesville will maintain a friendly country atmosphere in a natural setting and be a place where community and business can thrive.*

This policy:

- Supports the vision for Yarra Ranges at Clause 21.03;
- Builds on the Land Use, Settlement, Built Form and Landscape policies at Clauses 21.04, 21.05, 21.06 and 21.07;
- Further the objectives for Community Services and Recreation and Cultural facilities at Clause 21.11.
Objectives

Objective 1 – Economic development and employment

To provide a sustainable business environment for retail, tourist and other commercial businesses.

Policy

1.1 Support applications for commercial uses which contribute to a vibrant town centre which capitalises on Healesville’s tourism appeal and landscape features.
1.2 Focus additional commercial activity and development within the town centre to strengthen its role and function.
1.3 Support the redevelopment of identified vacant and under-utilised sites within the town centre.
1.4 Encourage additional retail activity and diversity, including a medium sized supermarket, within the town centre.
1.5 Reinforce Healesville's status as a premier tourist destination.
1.6 Continue to support key tourist attractions, including the Healesville Sanctuary, Tarra Warra, Healesville Amateur Racing Club and the Healesville Country Club.
1.7 Support eco-tourism proposals that benefit the local economy.
1.8 Ensure that new uses in the existing industrial precincts do not introduce incompatible activities.
1.9 Encourage more intensive redevelopment of existing industrial sites.

Objective 2 – Built environment

To encourage development that makes a positive contribution to the Healesville town centre by respecting its rural town character and key features, including scale, building form, height and significant trees.

Policy

2.1 Encourage an improved interface between the town centre development on the northern side of Maroondah Highway and the carparking areas adjacent to River Street.
2.2 Ensure there is full activation of retail frontages on commercially zoned land along Maroondah Highway within the town centre.
2.3 Protect and enhance Healesville’s buildings and features which have recognised heritage significance.
2.4 Support advertising signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

Objective 3 – Residential

To maintain current urban boundaries of Healesville and focus additional residential development opportunities within those boundaries.

Policy

3.1 Provide opportunities for higher density residential development within the Urban Growth Boundary in locations close to the Healesville town centre.
3.2 Allow some further subdivision within the Urban Growth Boundary in suitable locations in Healesville to provide for a modest increase in residential lots.
3.3 Support applications which contribute to the valued residential character of Healesville.
3.4 Encourage different forms of housing to provide for a range of household types and abilities which meet the needs of the local population.
3.5 Minimise land use conflicts between residential and rural uses by maintaining a transition of lot sizes at the interface between rural and residential zones in Healesville.

Objective 4 – Community services and facilities

To provide a range of community and cultural facilities that are well connected and easily accessed by all members of the community.

Policy

4.1 Encourage health related services in the precinct adjacent to Healesville and District Hospital.
4.2 Facilitate retirement and aged care accommodation in proximity to existing social and physical infrastructure.
4.3 Support applications for community facilities that are integrated and accessible.
4.4 Facilitate an indigenous belonging place in Healesville.

**Objective 5 – Open space, landscape and environment**

To continue to improve open spaces and to retain and enhance Healesville’s valued environmental character while mitigating environmental risks.

**Policy**

5.1 Continue to upgrade Queens Park and the Don Road Recreational Reserve to support local recreational activities.
5.2 Investigate the opportunity to create a pedestrian link between Queens Park and Coronation Park.
5.3 Investigate the potential to create a pedestrian trail along the northern side of Grace Burn extending from Queens Park to the Council reserve at Silverleaf Place.
5.4 Introduce additional planning protection for significant trees around the Healesville town centre not currently protected by the Heritage Overlay.
5.5 Recognise a distinct Healesville landscaping/streetscape character, which incorporates traditional European and indigenous species.
5.6 Ensure the retention of European trees in the town centre streets.
5.7 Protect valued landscapes and discourage visually intrusive development in the township’s gateways.
5.8 Introduce additional planning protection to identified waterways, biolinks and remnant vegetation within the Healesville district.
5.9 Support development and initiatives that increase environmental sustainability in the Healesville district.
5.10 Discourage potentially hazardous uses such as timber plantations, on the land shown as a Strategic Firebreak in Figure 2.

**Figure 2 – Strategic Firebreak Area**

![Strategic Firebreak Area](image)

**Objective 6 – Transport and access**

To provide a safe, accessible and efficient movement network in Healesville for vehicles, pedestrians and cyclists.

**Policy**

6.1 Support improvements for motorists and pedestrians at the Maroondah Highway/ Wilson Street/Badger Creek Road intersection.
6.2 Maintain and improve car parking provision in the town centre by encouraging new retail and commercial developments to provide onsite car parking and optimising the layout of existing Council owned car parking areas.

6.3 Maintain connectivity by retaining existing laneways in the Healesville town centre where they provide safe pedestrian access and there are no alternative routes nearby.

6.4 Investigate the application of a Parking Overlay or a similar mechanism to meet future car parking demand generated by new commercial development in Healesville.

6.5 Extend Healesville’s pedestrian network and improve connections between the main recreational spaces and to nearby settlements.

6.6 Investigate options for the creation of an accessible walking circuit within Healesville for recreational use, utilising existing paths where possible.

6.7 Further develop the Healesville district’s recreational cycle network by improving on-road safety and extending off-road opportunities.

6.8 Maintain the Healesville town centre as the hub for public transport services.

6.9 Where practical, construct roads, footpaths and trails in materials that reflect Healesville’s rural character.

Policy documents

Healesville Structure Plan, Yarra Ranges Council, August 2016

Yarra Ranges Activity Centre Network Strategy, Essential Economics, April 2013
Figure 3 - Healesville District Map
Figure 4 - Healesville Town Centre Map
OPERATION OF THE LOCAL PLANNING POLICY FRAMEWORK (TRANSITIONAL)
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot. Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td>*</td>
<td>Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td>*</td>
<td>Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>The site must not exceed either:</td>
<td>3000 square metres.</td>
</tr>
<tr>
<td>*</td>
<td>3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Extractive industry</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>

### Use for one or two dwellings or a dependent person’s unit

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

### Subdivision

**Permit requirement**

A permit is required to subdivide land.
Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Application requirements

#### Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.

- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.

- If a staged subdivision, show how the balance of the land may be subdivided.

### Decision guidelines

#### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


#### Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- In the absence of reticulated sewerage:
- The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).

- The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.

- The relevant standards of Clauses 56.07-1 to 56.07-4.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
<td>0.4ha</td>
</tr>
</tbody>
</table>

**Dimensions above which a permit is required to construct an outbuilding**

None specified
MIXED USE ZONE

Shown on the planning scheme map as **MUZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

**Objectives**

A schedule to this zone may contain objectives to be achieved for the area.

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
Use

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>
### Class of application

<table>
<thead>
<tr>
<th>Subdivide land into lots each containing an existing building or car parking space where:</th>
</tr>
</thead>
<tbody>
<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>
</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>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subdivide land into 2 lots if:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</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>
</tr>
<tr>
<td>- Has started lawfully.</td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A 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

<table>
<thead>
<tr>
<th>Construct an outbuilding or extend a dwelling if the development:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
</tr>
</tbody>
</table>
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>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>A10 Side and rear setbacks.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application | 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.

---

**32.04-10**

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.

**32.04-11**

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 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ**.

YARRA RANGES MIXED USE AREAS

1.0

Objectives

None specified.

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.
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.</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>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>
</tbody>
</table>
### ConditionUse

**Residential aged care facility**

**Rooming house**  
Must meet the requirements of Clause 52.23-2.

**Tramway**

**Any use listed in Clause 62.01**  
Must meet the requirements of Clause 62.01.

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Car wash</strong></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Convenience restaurant</strong></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Convenience shop</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Food and drink premises (other than Convenience restaurant and Take away food premises)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Grazing animal production</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office (other than Medical centre)</strong></td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td><strong>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</strong></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td><strong>Plant nursery</strong></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Service station</strong></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><strong>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</strong></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><strong>Store</strong></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><strong>Take away food premises</strong></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<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>Bottle shop</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>Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)</td>
</tr>
<tr>
<td>Saleyard</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>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
### 32.07-4

**31/07/2018**

**VC148**

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#### Construction and extension of one dwelling on a lot

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

### Class of application

<table>
<thead>
<tr>
<th>Class of application</th>
<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>
<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>

---

### Clause 59.14

Construct an outbuilding or extend a dwelling if the development:

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
- 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.

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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>
</tbody>
</table>

- The building or works is not associated with a dwelling.
- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:
  - 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.
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.

32.07-12

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.

32.07-13

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.

LILYDALE CONSOLIDATION AREA

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>
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<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>

Maximum building height requirement for a dwelling or residential building

None specified

Application requirements

None specified

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:

- Opportunity to maximise development and achieve good design outcomes through lot consolidation.
- Response to the location and site characteristics in achieving diverse housing which is respectful of neighbourhood amenity and achieves high quality design.

Transitional provisions

Schedule 1 to clause 32.07 to the Residential Growth Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 1 to Clause 32.07, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ2.

CHIRNSIDE PARK – ACTIVITY CENTRE RESIDENTIAL

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>
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<td>None specified</td>
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<tr>
<td>Permeability</td>
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<td>Private open space</td>
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</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

A building used as a dwelling or a residential building must not exceed a height of 13.5 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height must not exceed 14.5 metres.

3.0

Application requirements

None specified

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:

- Opportunity to maximise development and achieve good design outcomes.
- Response to the location and site characteristics in achieving diverse housing which is respectful of neighbourhood amenity and achieves high quality design.

5.0

Transitional provisions

Schedule 2 to Clause 32.07 to the Residential Growth Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 2 to Clause 32.07, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ3.

CHIRNSIDE PARK - ACTIVITY CENTRE RESIDENTIAL

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>

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 15 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height must not exceed 16 metres.

Application requirements

None specified

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:

- Opportunity to maximise development and achieve good design outcomes, with a strong cohesive architectural response.
- Response to the location and site characteristics in achieving diverse housing which is respectful of neighbourhood amenity and achieves high quality design.

Transitional provisions

Schedule 3 to Clause 32.07 to the Residential Growth Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 3 to Clause 32.07, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
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>
</tbody>
</table>
### Use and Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</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 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></td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</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.

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.

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 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 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 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</td>
<td>Clause 59.03</td>
</tr>
<tr>
<td>associated with 2 or more dwellings on a lot or a residential building.</td>
<td></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.

32.08-10

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 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
• It is on a corner lot abutted by lots with existing buildings and the new building does not exceed
the building height or contain a greater number of storeys than the lower of the existing buildings
on the abutting allotments.

• It is constructed pursuant to a valid building permit that was in effect prior to the introduction
of this provision.

An extension to an existing building may exceed the applicable maximum building height or
contain more than the applicable maximum number of storeys if it does not exceed the building
height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural
ground level, measured at any cross section of the site of the building wider than 8 metres, is
greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a
building.

The maximum building height and maximum number of storeys requirements in this zone or a
schedule to this zone apply whether or not a planning permit is required for the construction of a
building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable
to inundation the maximum building height specified in the zone or schedule to the zone is the
vertical distance from the minimum floor level determined by the relevant drainage authority or
floodplain management authority to the roof or parapet at any point.

32.08-11

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.
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.
1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

None specified

4.0 Application requirements

Applications for multi unit development should be accompanied by an application for subdivision.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Whether new development contributes to a diverse housing type which integrates respectfully into neighbourhood consolidation areas.
- Whether the development is easily accessible to services and facilities taking into account site constraints including topography.
- The avoidance of visually dominant buildings and opportunities for landscaping and the planting of mature species.
Transitional provisions

Schedule 1 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the planning scheme amendment that introduced this schedule into the planning scheme. The requirements of clause 54 as they apply to clause 54.03-2 or of clause 55 as they apply to clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 1 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2.

LILYDALE QUARRY – STAGE 1

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified.

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
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</tr>
<tr>
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</tr>
<tr>
<td>Permeability</td>
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</tr>
<tr>
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<td>B13</td>
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<tr>
<td>Side and rear setbacks</td>
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<tr>
<td>Walls on boundaries</td>
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</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

None specified.

4.0

Application requirements

None specified.

5.0

Decision guidelines

None specified.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be located in an existing building.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site must not exceed either:</td>
<td></td>
</tr>
<tr>
<td>• 3000 square metres.</td>
<td></td>
</tr>
<tr>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td><strong>Store</strong></td>
<td></td>
</tr>
<tr>
<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>
<td></td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>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></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>Clause 59.01</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>- 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>Clause 59.02</td>
<td></td>
</tr>
</tbody>
</table>
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.

### 32.09-11 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.

INCREMENTAL RESIDENTIAL AREAS: MOOROOLBARK, CHIRNSIDE PARK, KILSYTH AND LILYDALE

1.0

Neighbourhood character objectives

None specified.

2.0

Minimum subdivision area

None specified.

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement for the construction or extension of one dwelling on a lot</td>
<td>500 square metres or less</td>
</tr>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td></td>
<td>B28</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

5.0

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

Application requirements

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Any application for multi-unit development should be accompanied by an application for subdivision.
Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the Scheme:

- Development respects existing residential character and responds to the attributes of the established neighbourhood. Development within the metropolitan incremental change areas should cover no more than 40% of the site in keeping with the established character of the area.
- Development adds to the diversity of the existing housing stock.
- Consideration of the geographic constraints of a location with preference to infill development where people can easily access community services and transportation facilities.
SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ2.

RURAL AND FOOTHILLS INCREMENTAL 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>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
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<td>A5 and B8</td>
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<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
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<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

4.0

Number of dwellings on a lot

None specified.

5.0

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

Application requirements

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Any application for multi-unit development should be accompanied by an application for subdivision.

7.0

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the Scheme:
• Ensure new lots and developments are of a spacious nature and allow for design that is respectful of neighbourhood character.

• Consider whether development minimises site coverage and maintains natural and established vegetation cover and provides for landscaping opportunities.
SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ3.

LEAST CHANGE AREAS FOOTHILLS AND RURAL TOWNSHIPS

1.0

Neighbourhood character objectives

None specified.

2.0

Minimum subdivision area

None specified.

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement for the construction or extension of one dwelling on a lot</td>
<td>501 square metres or less</td>
</tr>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

5.0

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

Application requirements

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:

- Any application for multi-unit development must be accompanied by an application for subdivision.

7.0

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the scheme:
• The development or subdivision is of a scale and size consistent with the unique character and special features of the rural townships and foothills areas.

• Subdivision and development should be less dense than that which occurs within the General Residential Zone or the Neighbourhood Residential Zone Schedules 1 and 2.

• Subdivision and development should minimise site coverage and maintains natural and established vegetation cover.
SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ4.

CLOVERLEA ESTATE (FORMER CHIRNSIDE PARK GOLF COURSE SITE)

1.0
Neighbourhood character objectives
None specified.

2.0
Minimum subdivision area
None specified.

3.0
Permit requirement for the construction or extension of one dwelling or a fence associated with a 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>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0
Requirements of Clause 54 and Clause 55

| Minimum street setback | A3 and B6 | None specified |
| Site coverage          | A5 and B8 | None specified |
| Permeability           | A6 and B9 | None specified |
| Landscaping            | B13       | None specified |
| Side and rear setbacks | A10 and B17 | None specified |
| Walls on boundaries    | A11 and B18 | None specified |
| Private open space     | A17       | None specified |
|                        | B28       | None specified |
| Front fence height     | A20 and B32 | None specified |

5.0
Maximum building height requirement for a dwelling or residential building

The maximum building height of a dwelling or residential building must 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 must not exceed 10 metres.

This does not apply to:

- An extension of an existing dwelling or residential building that exceeds the specified building height provided the extension does not exceed the existing building height.
- A dwelling or residential building which exceeds the specified building height for which a valid planning or building permit was in effect prior to the introduction of this provision.
6.0
05/03/2015
C141

Application requirements
None Specified.

7.0
05/03/2015
C141

Decision guidelines
The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the Scheme:

- Development respects existing residential character and responds to the attributes of the established neighbourhood.
- Development adds to the diversity of the existing housing stock.
- Consideration of the geographic constraints of a location with preference to infill development where people can easily access community services and transportation facilities.
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as IN1Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></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>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td></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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Emission of noise, artificial light, vibration,</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
</tbody>
</table>
| odour, fumes, smoke, vapour, steam, soot, ash,   |  - 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.  
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.  |
| dust, waste water, waste products, grit or oil.  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Shipping container storage                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Take away food premises                          | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.                                                                                                                                                                                                                                                                                                                                  |
| Tramway                                          | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.                                                                                                                                                                                                                                                                                                                                  |
| Warehouse (other than Mail centre and Shipping   | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  |
| container storage)                                |  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.  |
| Any use listed in Clause 62.01                   | Must meet the requirements of Clause 62.01.                                                                                                                                                                                                                                                                                                                                                                         |
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td>Caretaker's house</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>

Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.
- Used for a Brothel or Adult sex product shop.

**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.
<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone. Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
| Warehouse (other than Fuel depot, Mail centre or Shipping container storage) | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil |
<p>| Any use listed in Clause 62.01                                    | Must meet the requirements of Clause 62.01.                                                                                                                                                                |
| Section 2 - Permit required                                       |                                                                                                                                                                                                          |
| Use                                                               | Condition                                                                                                                                                                                                 |
| Adult sex product shop                                            | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |                                                                                                                                                                                                          |
| Caretaker's house                                                 |                                                                                                                                                                                                          |
| Education centre                                                  | Must not be a primary or secondary school.                                                                                                                                                                |
| Industry (other than Service industry)                            |                                                                                                                                                                                                          |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) |                                                                                                                                                                                                          |</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>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)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</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, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met</td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</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>
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</thead>
<tbody>
<tr>
<td><strong>Subdivide land to realign the common boundary between 2 lots where:</strong></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><strong>Subdivide land into lots each containing an existing building or car parking space</strong></td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
</tbody>
</table>

VC148
Class of application

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways and vehicle parking and loading areas.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 2.
SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 1 ZONE

Shown on the planning scheme map as B1Z, B2Z, B5Z or C1Z.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation
A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:
  - specify the maximum leasable floor area for office
  - specify the maximum leasable floor area for shop (other than restricted retail premises).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</td>
</tr>
<tr>
<td>Cinema</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Education centre (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</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></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>
</tbody>
</table>
Use

Major sports and recreation facility
Motor racing track

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>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>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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
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<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
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<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The impact of overshadowing on existing rooftop solar energy 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.

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 (square metres)</th>
<th>Maximum leasable floor area for shop (other than restricted retail premises) (square metres)</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 shown with a Note 1 or Note 2 in the table to Clause 53.10.  
  The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  • The threshold distance, for a purpose listed in the table to Clause 53.10.  
  • 30 metres, for a purpose not listed in the table to Clause 53.10. |
| Informal outdoor recreation             |                                                                           |
| Mail centre                             |                                                                           |
| Museum                                  |                                                                           |
| Office                                  |                                                                           |
| Postal agency                           |                                                                           |
| Railway                                 |                                                                           |
| Restricted retail premises             |                                                                           |
| Shop (other than Adult sex product shop, Restricted retail premises and Supermarket) | Must adjoin, or be on the same land as, a supermarket when the use commences.  
  The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.  
  The site must adjoin, or have access to, a road in a Road Zone. |
### Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supermarket</strong></td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must be on land within the City of Greater Geelong or within an urban</td>
</tr>
<tr>
<td></td>
<td>growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td><strong>Trade supplies</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouse (other than Mail centre)</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</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><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adult sex product shop</strong></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><strong>Agriculture (other than Animal production and Apiculture)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Caretaker's house</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Education centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Grazing animal production</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Materials recycling</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Residential hotel</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</strong></td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supermarket – if the Section 1 conditions are not met</strong></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.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Transfer station</strong></td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td>Any other use not in Section 1 or 3</td>
</tr>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Accommodation (other than Caretaker's house and Residential hotel)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal production (other than Grazing animal production)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Major sports and recreation facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Motor racing track</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

### Subdivision

A permit is required to subdivide land.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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>
</tbody>
</table>
### Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The area of either lot is reduced by less than 15 percent.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>The general direction of the common boundary does not change.</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Clause 59.02

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

### Clause 59.02

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>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>
Information requirements and decision guidelines

Class of application

- Used for a Brothel or Adult sex product shop.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

**Subdivision**

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

**34.02-8**  
**Signs**  
Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL LIVING ZONE

Shown on the planning scheme map as RLZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential use in a rural environment.
To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bed and breakfast</strong></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><strong>Community care accommodation</strong></td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td><strong>Dependent person’s unit</strong></td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Domestic animal husbandry (other than Domestic animal boarding)</strong></td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast)</strong></td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Poultry farm</strong></td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td><strong>Racing dog husbandry</strong></td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></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 and Dwelling)</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</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>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Dependent person's unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Hotel</td>
<td>The site must not have direct access to a rural freeway.</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>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service station</th>
<th>The site must either:</th>
</tr>
</thead>
<tbody>
<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></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
</tbody>
</table>

| Store | Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot. |

| Timber production | Must meet the requirements of Clause 53.11. |

| Utility installation (other than Minor utility installation and Telecommunications facility) |
| Any other use not in Section 1 or 3 |

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
</tr>
<tr>
<td>Intensive animal production</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 Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where: Each new lot is at least the area specified for the land in the zone or the schedule to the zone. 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 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

**Agricultural issues**
- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

**Environmental issues**
- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as RLZ1.

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td></td>
</tr>
</tbody>
</table>
# SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2**.

## Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

## Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
</tbody>
</table>
GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

To protect and conserve the biodiversity of the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td></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>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</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><strong>Rural store</strong></td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td><strong>Must be in a building, not a dwelling and have</strong></td>
<td></td>
</tr>
<tr>
<td><strong>a gross floor area of less than 100 square</strong></td>
<td></td>
</tr>
<tr>
<td><strong>metres.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Must be the only Rural store on the lot.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></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><strong>Animal production (other than Broiler farm,</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cattle feedlot and Grazing animal production)</strong></td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Poultry farm is not met</strong></td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Cattle feedlot</strong></td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td><strong>The site must be located outside a catchment</strong></td>
<td></td>
</tr>
<tr>
<td><strong>area listed in Appendix 2 of the Victorian</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Code for Cattle Feedlots – August 1995.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dependent person’s unit</strong></td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td><strong>Must meet the requirements of Clause 35.04-2.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast)</strong></td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td><strong>Must meet the requirements of Clause 35.04-2.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Exhibition centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Freezing and cool storage</strong></td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td><strong>Function centre</strong></td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td><strong>The number of patrons present at any time</strong></td>
<td>The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td><strong>The lot on which the use is conducted</strong></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery. The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station. Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub and Place of worship)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Research centre</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)

Brothel

Cinema based entertainment facility

Display home centre

Education centre (other than Primary school and Secondary school)

Freeway service centre

Funeral parlour

Hospital

Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)

Motor racing track

Office

Nightclub

Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)

Service station

Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
Rural issues
- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

Primary school or secondary school issues
- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection 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.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 35.04 GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ1.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td></td>
<td>Except as provided for in the schedule to Clause 51.03, a minimum lot size of 6 hectares with an average lot yield not exceeding 1 lot to each 8 hectares of site area and a maximum lot size of 14 hectares</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
**SCHEDULE 2 TO CLAUSE 35.04 GREEN WEDGE ZONE**

Shown on the planning scheme map as **GWZ2**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
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</tr>
<tr>
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<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land if the earthworks exceed 1 metre in height or depth</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land if the earthworks exceed 1 metre in height or depth</td>
</tr>
</tbody>
</table>
SCHEDULE 3 TO CLAUSE 35.04 GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ3**.

**Subdivision and other requirements**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td></td>
<td>Except as provided for in the schedule to Clause 51.03, a minimum lot size of 15 hectares with an average lot yield not exceeding 1 lot to each 20 hectares of site area and a maximum lot size of 35 hectares</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
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<tr>
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**Permit requirement for earthworks**

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<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
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</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
</tbody>
</table>
**SCHEDULE 4 TO CLAUSE 35.04 GREEN WEDGE ZONE**

Shown on the planning scheme map as **GWZ4**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
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</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
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<tr>
<td>Function centre (number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td></td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td></td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
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</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
</tbody>
</table>
### SCHEDULE 5 TO CLAUSE 35.04 GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ5**.

#### Subdivision and other

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
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</table>

#### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
## SCHEDULE 6 TO CLAUSE 35.04 GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ6**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Home based business</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></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>Animal production (other than Broiler farm and Intensive animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></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>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td><strong>Exhibition centre</strong></td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture. 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>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
<td></td>
</tr>
<tr>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
</tbody>
</table>
## Use Condition

The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural store – if the Section 1 condition is not met</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>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</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>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship and Restricted place of assembly)</td>
</tr>
<tr>
<td>Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
</tbody>
</table>
**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

---

**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

Class of application | Information requirements and decision guidelines
--- | ---
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone. | Clause 59.12

35.05-4
05/09/2013
VC103

Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

35.05-5
08/08/2019
VC159

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.05-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 30 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 20 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 10 metres from any other road.
  - 5 metres from any other boundary.
  - 30 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column I is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application | Information requirements and decision guidelines
--- | ---
Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not: | Clause 59.13

- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.
**Class of application**

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

---

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

• The Municipal Planning Strategy and the Planning Policy Framework.

• Any Regional Catchment Strategy and associated plan applying to the land.

• The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.

• How the use or development relates to agricultural land use, rural diversification and natural resource management.

• Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.

• The need to protect the amenity of existing residents.

• The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.

**Rural issues**

• The maintenance of agricultural production and the impact on the local rural economy.

• The need to prepare an integrated land management plan.

• The impact on the existing and proposed rural infrastructure.

• The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

• Protection and retention of land for future sustainable agricultural activities.

**Environmental issues**

• The impact of the use or development on the flora and fauna on the site and its surrounds.

• An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.

• The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.
How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.

The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection 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.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ1.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
**YARRA RANGES PLANNING SCHEME**

**SCHEDULE 2 TO CLAUSE 35.05 GREEN WEDGE A ZONE**

Shown on the planning scheme map as **GWAZ2**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>All land</td>
</tr>
<tr>
<td>(hectares)</td>
<td>Except as provided for in the schedule to Clause 51.03, a minimum lot size of 3 hectares with an average lot yield not exceeding 1 lot to each 4 hectares of site area and a maximum lot size of 7 hectares.</td>
</tr>
<tr>
<td>Function centre</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons)</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of dwellings)</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of bedrooms)</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons)</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no</td>
<td>None specified</td>
</tr>
<tr>
<td>permit is required to alter</td>
<td></td>
</tr>
<tr>
<td>or extend an existing</td>
<td></td>
</tr>
<tr>
<td>dwelling (square metres)</td>
<td></td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
<tr>
<td>the discharge point of water across a property</td>
<td></td>
</tr>
<tr>
<td>boundary.</td>
<td></td>
</tr>
<tr>
<td>Earthworks which increase the discharge of</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
<tr>
<td>saline groundwater.</td>
<td></td>
</tr>
</tbody>
</table>
RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

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>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
# Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry, Rice growing and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</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>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Bed and breakfast, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival and Circus)</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Rice growing</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage and Rural store)</td>
</tr>
</tbody>
</table>

**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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>
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<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

This provision only applies to land in Metropolitan Melbourne.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

  - Earthworks specified in a schedule to this zone, if on land specified in a schedule.
  
  - A building which is within any of the following setbacks:
    
    - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
    
    - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
    
    - 20 metres from any other road.
    
    - 5 metres from any other boundary.
    
    - 100 metres from a dwelling not in the same ownership.
    
    - 100 metres from a waterway, wetlands or designated flood plain.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.

- How the use or development conserves the values identified for the land in a schedule.
Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

**Rural issues**

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

**Environmental issues**

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Dwelling issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

**Design and siting issues**

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ1.

CONSERVATION VALUES

To retain and protect the scenic landscapes, rural character and special environmental features of the Shire.

To provide long term protection of the environmental and conservation values of those areas of private rural land which contain remnant bushland, wetlands and areas of landscape significance.

### 1.0 Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td></td>
</tr>
</tbody>
</table>

- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- Earthworks which increase the discharge of saline groundwater.
SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ2.

CONSERVATION VALUES

To retain and protect the scenic landscapes, rural character and special environmental features of the Shire.

To provide long term protection of the environmental and conservation values of those areas of private rural land which contain remnant bushland, wetlands and areas of landscape significance.

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
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<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ3.

CONSERVATION VALUES

To retain and protect the scenic landscapes, rural character and special environmental features of the Shire.

To provide long term protection of the environmental and conservation values of those areas of private rural land which contain remnant bushland, wetlands and areas of landscape significance.

1.0 Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits requirement for earthworks</td>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land if the earthworks exceed 1 metre in height or depth.</td>
</tr>
</tbody>
</table>
FARMING ZONE

Shown on the planning scheme map as FZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.07-2.</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>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td>Must not have a gross floor area more than 200 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Timber production</td>
<td>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</td>
</tr>
<tr>
<td>Timber production</td>
<td>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</td>
</tr>
<tr>
<td>Timber production</td>
<td>The plantation must not be within 100 metres of:</td>
</tr>
<tr>
<td>Timber production</td>
<td>- Any dwelling in separate ownership.</td>
</tr>
<tr>
<td>Timber production</td>
<td>- Any land zoned for residential, commercial or industrial use.</td>
</tr>
<tr>
<td>Timber production</td>
<td>- Any site specified on a permit which is in force which permits a dwelling to be constructed.</td>
</tr>
<tr>
<td>Timber production</td>
<td>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tramway</strong></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abattoir</strong></td>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></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><strong>Cattle feedlot – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td><strong>Cemetery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Crematorium</strong></td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td><strong>Emergency services facility</strong></td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td><strong>Group accommodation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Host farm</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Industry (other than Rural industry)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Landscape gardening supplies</strong></td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema</td>
<td>Must meet the requirements of Clause 53.10.</td>
</tr>
<tr>
<td>based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Bed and breakfast, Camping and caravan</td>
<td>Must be located a minimum of 200m from residential areas</td>
</tr>
<tr>
<td>park, Dependent person’s unit, Dwelling, Group accommodation, Host</td>
<td>and not occupy a fraction of any lot greater than 30%</td>
</tr>
<tr>
<td>farm and Residential hotel)</td>
<td>of the total land area.</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>Must be located a minimum of 200m from residential areas</td>
</tr>
<tr>
<td>Brothel</td>
<td>and not occupy a fraction of any lot greater than 30%</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td>Must be located a minimum of 200m from residential areas</td>
</tr>
<tr>
<td>Nightclub</td>
<td>and not occupy a fraction of any lot greater than 30%</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Market, Landscape gardening supplies,</td>
<td>Must be located a minimum of 200m from residential areas</td>
</tr>
<tr>
<td>Manufacturing sales, Primary produce sales, Restaurant and Trade</td>
<td>and not occupy a fraction of any lot greater than 30%</td>
</tr>
<tr>
<td>supplies)</td>
<td></td>
</tr>
</tbody>
</table>

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:
Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

### Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

### Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the
  out-building is not more than the area specified in a schedule to this zone or, if no area is
  specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor
  area of the alteration or extension is not more than the area specified in a schedule to this
  zone or, if no area is specified, 200 square metres. Any area specified must be more than
  200 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be
    acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is
    specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing
  animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column
1 is a class of VicSmart application and must be assessed against the provision specified in Column
2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Intensive animal production, Pig farm,</td>
<td></td>
</tr>
<tr>
<td>Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements for dwellings

An application to use a lot for a dwelling must be accompanied by a written statement which
explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.
Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use and development will require traffic management measures.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum subdivision area (hectares).</strong></td>
<td><strong>All land</strong> Except as provided for in the schedule to Clause 51.03, a minimum lot size of 30 hectares with an average lot yield not exceeding 1 lot to each 40 hectares of site area and a maximum lot size of 70 hectares</td>
</tr>
<tr>
<td><strong>Minimum area for which no permit is required to use land for a dwelling (hectares).</strong></td>
<td><strong>All land</strong> 4 hectares</td>
</tr>
<tr>
<td><strong>Maximum area for which no permit is required to use land for timber production (hectares).</strong></td>
<td><strong>All land</strong> 40 hectares</td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</strong></td>
<td><strong>None specified</strong></td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</strong></td>
<td><strong>None specified</strong></td>
</tr>
<tr>
<td><strong>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</strong></td>
<td><strong>None specified</strong></td>
</tr>
<tr>
<td><strong>Minimum setback from a road (metres).</strong></td>
<td><strong>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 100 metres</strong></td>
</tr>
<tr>
<td></td>
<td><strong>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2 40 metres</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Any other road</strong> 20 metres</td>
</tr>
<tr>
<td><strong>Minimum setback from a boundary (metres).</strong></td>
<td><strong>Any other boundary</strong> 5 metres</td>
</tr>
<tr>
<td><strong>Minimum setback from a dwelling not in the same ownership (metres).</strong></td>
<td><strong>Any dwelling not in the same ownership</strong> 100 metres</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</strong></td>
<td><strong>All land if the earthworks exceed 1 metre in height or depth.</strong></td>
</tr>
<tr>
<td><strong>Earthworks which increase the discharge of saline groundwater.</strong></td>
<td><strong>All land if the earthworks exceed 1 metre in height or depth.</strong></td>
</tr>
</tbody>
</table>
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 convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>

Section 3 - Prohibited

Use
Nil

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Permit not required**

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

**Table of public land use**

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

**Signs**

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
### SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any land leased or licensed from Parks Victoria</td>
<td>Any use or development that is for a public purpose</td>
<td>Must be undertaken by or on behalf of Parks Victoria under the Water Industry Act 1994, the Parks Victoria Act 1998, the Water Act 1989, the Marine Act 1988 or the Crown Land (Reserves) Act 1978</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as **PPRZ**.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></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 1995</em>.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeanning 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>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>
<tr>
<td>Land</td>
<td>Advertising Sign Category</td>
<td></td>
</tr>
<tr>
<td>None specified</td>
<td></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>- 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>
<tr>
<td>Caretaker’s house</td>
<td>- Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 (other</td>
<td></td>
</tr>
<tr>
<td>than Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td></td>
</tr>
<tr>
<td></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><strong>Emergency services facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Renewable energy facility (other than Wind energy facility)</strong></td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td><strong>Wind energy facility</strong></td>
<td>Must not be located on land described in a schedule to the <em>National Parks Act 1975</em>. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</strong></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*.
  - Subdivide land.

#### Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

36.03-4
31/07/2018
VC148
Exemption from notice and review
An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5
18/06/2010
VC62
Referral of applications
An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

36.03-6
31/07/2018
VC148
Decision guidelines
Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-7
18/06/2010
VC62
Incorporated plan
An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></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 USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
### Subdivision

**Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To recognise or provide for the use and development of land for earth and energy resources industry.
To encourage interim use of the land compatible with the use and development of nearby land.
To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>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>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer station</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
</tr>
<tr>
<td>Warehouse</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 Dependent person's unit)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies and Manufacturing sales)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
</tbody>
</table>

### Buildings and works

#### Permit requirement

The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are 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.
SCHEDULE 2 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

MAJOR TOURIST FACILITY

Purpose
To provide for the use of land for a major tourist facility subject to appropriate controls on any future changes to the use and management of the land.

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 1997.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</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 Dwelling)</td>
<td>Must be for tourists.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Convenience restaurant
Intensive animal husbandry
Leisure and recreation (other than Informal outdoor recreation and Outdoor recreation facility)
Place of assembly (other than Function centre)
Retail premises (other than Food and drink premises)
Any other use not in Section 1 or 2

2.0
25/09/2014
C118

Requirements for specific sites

Despite any other provision of this planning scheme, the following provisions apply to the sites listed below.

2.1
19/01/2006
VC37

Heritage Golf Course, Hughes Road, Chirnside Park

Crown Allotments 7C and 7D, Parish of Evelyn, 1-3 Hughes Road, Chirnside Park may be developed and used for a major tourist facility comprising two 18 hole golf courses, business convention facilities and residential accommodation, in accordance with the requirements of Amendment L145 to the former Lillydale Planning Scheme.

2.2
19/01/2006
VC37

‘The Country Place’, Olinda Creek Road, Kalorama

PC35488Y, Olinda Creek Road, Kalorama may, subject to the grant of a permit, be developed and used for the following purposes, provided any development or use is generally in accordance with the Overall Development Plan prepared by Fulcrum Town Planners, dated October 1996:

- Conference centre.
- Corporate training centre.
- Tourist accommodation.
- Tourist facility.

The responsible authority may grant a permit for a development or use not in accordance with the above plan, provided it is consistent with the primary use of the land and does not adversely impact on surrounding land.

An application for a development or use in accordance with the plan referred to in this clause 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.

2.3
25/09/2014
C118

No content

2.4
19/01/2006
VC37

Maroondah Highway - Dalry Road, Healesville

No use may be commenced, nor buildings or works constructed or carried out, on Crown Allotments 144, 145 and 146, Parish of Gracedale, corner of Maroondah Highway and Dalry Road, Healesville until a development plan showing the overall use and development of the land has been prepared to the satisfaction of the responsible authority.

At the request or with the consent of the owner of the land, the development plan may be amended to the satisfaction of the responsible authority.
The development plan must be generally in accordance with Amendment L3 to the former Healesville Planning Scheme and must include any requirements of:

- The responsible authority.
- Public authorities and utility service providers, including the Roads Corporation, Melbourne Water, Yarra Valley Water and the Environment Protection Authority.

The use of any land or building or the construction or carrying out of any building or works for any purpose other than the following is prohibited:

- Motel.
- Restaurant (whether licensed or not).
- Convention facilities, including meeting rooms.
- Recreation facilities, including tennis courts (indoor or outdoor), indoor facilities including a gymnasium, squash courts and the like.
- Construction and use of facilities involving the dam.
- Manager’s or caretaker’s residence.
- Facilities associated with the development generally as shown on the development plan, including car parking areas, roads and accessways and landscaping.

The use of the dam must be limited to passive recreational pursuits which may include fishing and boating, but no use of power boats is authorised except for maintenance purposes or in an emergency situation.

The development and use of the land must be generally in accordance with the development plan. Nothing in these provisions restricts, inhibits or in any way affects the contained operation of land outside the development plan area for the purpose of intensive agriculture, except that any further development is not permitted without the written consent of the responsible authority.

2.5

Maroondah Highway – Mt Riddell Road, Healesville

Part Crown Allotment 163 and Crown Allotments 20, 20A, 31, 32 and 33, Section 1, Parish of Gracedale, Healesville may be developed and used for a major tourist facility in accordance with the following requirements:

- No use may be commenced, nor buildings or works constructed or carried out, on the land until a development plan showing the overall use and development of the land has been prepared to the satisfaction of the responsible authority. At the request or with the consent of the owner of the land, the development plan may be amended to the satisfaction of the responsible authority.

- The development plan must be generally in accordance with the “Concept Plan – Healesville Mandarin” drawn by G Burgess and K Taylor dated February 1989 and must include:
  - A detailed landscape design and management plan.
  - Details of the road access system and intersection design.
  - Details of building elevations and external materials.
  - Details of any proposed staging of the construction of the development.
  - Details of the location and description of any proposed advertising signs.
  - Any requirements of public authorities and utility service providers, including the Department of Natural Resources and Environment, Melbourne Water, Yarra Valley Water and the Environment Protection Authority.
The responsible authority may have regard to the views of any other public authorities which it considers appropriate.

- The use of any land or building or the construction or carrying out of any building or works for any purpose other than the following is prohibited:
  - Hotel/motel and self-contained villas.
  - Restaurant (whether licensed or not).
  - Convention facilities, including meeting rooms.
  - Chinese landscaped gardens and associated facilities, including shops and car parking.
  - Golf course and club building.
  - Facilities associated with the development generally as shown on the development plan, including car parking areas, roads, accessways, dams and landscaping.
  - Chapel.

The development and use of the land must be generally in accordance with the development plan. Subdivision of the land is prohibited, except that the responsible authority may grant a permit for the subdivision of the land to provide for either:

- The acquisition of land by Council or a public authority for the purpose of a road, public utility service or any public service.
- The alteration of an existing lot boundary (provided there is no decrease in the area of the subject land) or the consolidation of titles in whole or in part.

### 2.6

**Warburton Chalet, Scotchmans Creek Road, Warburton**

Part Crown Allotments 13 and 115E, Parish of Warburton, Scotchmans Creek Road, Warburton may, subject to the grant of a permit, be used and developed for a major tourist facility comprising:

- Licensed tourist accommodation with a capacity not exceeding 180 bedroom units and conference and related facilities capable of handling a combined total of approximately 500 persons at any one time, including restaurants with dance floor, bar/lounges, games and TV rooms, gymnasium, library, music room, gallery, museum, creche, associated car parking, recreation and landscaped garden areas, including tennis courts, swimming pools, stables and maintenance, staff and reception facilities.
- Not more than 20 cabins each of a maximum size of 80 square metres.
- Licensed café, tea rooms and day visitor facilities, including kitchen facilities, retail/gallery area and craft workshop, associated external decks, landscaped garden areas, barbeque and picnic facilities.
- Associated landscaping, roads, drains, access and utility services and car park areas.

Any permit granted must comply with the requirements of Amendment L4 to the former Upper Yarra Planning Scheme.

### 2.7

**Little Yarra Road, Gilderoy**

Part Crown Allotment 61, Parish of Beenak, Little Yarra Road, Gilderoy may, subject to the grant of a permit, be developed and used for a major tourist facility comprising not more than:

- 20 cabins, of which not more than ten are to be 2 bedroom, with the remainder being single bedroom.
- One 100 site camping ground and caravan park, of which not more than 50 sites are to be for caravans.
• A 30 unit motel complex.
• A reception/service centre and restaurant providing a maximum of 100 seats.

Any permit granted must comply with the requirements of Section 1A of Schedule 2 - Restricted Uses in Chapter 5 (Upper Yarra District) of the former Yarra Ranges Planning Scheme 1996.

2.8
20/07/2006
C34

‘Warburton Mountain Resort’, Martyr Road, Warburton

Lot 1 PS129590, Martyr Road, Warburton may be used and subdivided without a permit for a major tourist facility comprising:

• An accommodation complex of up to 100 rooms and conference and related facilities capable of handling up to 300 persons, including a restaurant, shop, bars, visitor facilities, tennis courts, swimming pool, other recreation facilities, fitness facilities, BBQ and picnic areas and landscaped open space areas.
• Up to 40 lodges and a related restaurant, shop, arts and craft outlet and ancillary recreational facilities.
• Up to 5 forest lodges.
• Associated landscaping, roads, drains, access and utility services and car park areas.

The use and subdivision of the land must be in accordance with the requirements of Amendment L33 to the former Upper Yarra Planning Scheme.

Any permit granted to construct a building or construct or carry out works must be in accordance with the requirements of Amendment L33 to the former Upper Yarra Planning Scheme, except the time specified for commencement and completion of development.

The development of the land for the purposes authorised by this clause must be commenced by 1 December 2003 and completed by 1 December 2008, unless an extended time for commencement or completion is approved by the responsible authority after receipt of a written request from the owner within three months of expiry of the commencement or completion date.

2.9
11/10/2018
C142

‘Mt Rael’, Healesville – Yarra Glen Road, Healesville

A permit may be granted to develop and use Lot 2 PS332409, Healesville-Yarra Glen Road, Healesville for a major tourist facility, provided:

• The development and use are generally in accordance with Concept Plan Nos CP-3-5 dated June 1996 prepared by Mark Burns.
• Vehicular access to Kalamunda Terrace is used only for emergency purposes, such as in the event of fire, storm damage or vehicular accident.
• Any required drainage work, and the acceptance of surface and stormwater from the land, is in accordance with the requirements of Melbourne Water to the satisfaction of the responsible authority.

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.

2.10
11/10/2018
C142

‘Kenloch’, Mt Dandenong Tourist Road, Olinda

CP162013 and Part Crown Allotments 4 and 5, Section D, Parish of Monbulk, Mt Dandenong Tourist Road, Olinda may, subject to the grant of a permit, be developed and used for a restaurant, function centre and visitor accommodation, provided the capacity of the visitor accommodation does not exceed 32 guest rooms.

An application to construct visitor accommodation with no more than 32 guest rooms 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.
2.11
‘Baron of Beef’, Sherbrooke Road, Sherbrooke
A permit may be granted to develop and use Crown Allotment 43, Section G, Parish of Monbulk, Sherbrooke Road, Sherbrooke for a major tourist facility, provided it comprises only a restaurant not exceeding 240 seats, visitor accommodation not exceeding 14 rooms and a manager’s residence.

2.12
Balgownie Estate, 1309 Melba Highway, Yarra Glen
A permit may be granted to use and develop the land at 1309 Melba Highway, Yarra Glen (PTCA16A) for expansion of the existing major tourist facility to include a residential hotel up to 100 bedrooms, a restaurant up to 150 seats, and a function centre up to 180 patrons.

The subdivision of land to create a lot that is smaller in area than 30 hectares is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

AIRFIELD

Purpose
To provide for the use of land for an airfield subject to appropriate controls on any future changes to the use and management of the land.

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 1997.</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaning or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</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 Apiculture)</td>
<td>Must be in association with the operation of the airport on the land.</td>
</tr>
<tr>
<td>Airport</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must be in association with the operation of the airport on the land.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
</tr>
<tr>
<td>Transport terminal (other than Airport)</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>
Use and development of land

Lilydale Airfield, McIntyre Lane, Yering
The development and use of the Lilydale Airfield, at Lot 2, LP90098, McIntyre Lane, Yering must comply with Plan No. C6007 drawn by Plan Printing and Drafting and dated September 1985.

Coldstream Airfield, Killara Road, Coldstream
The development and use of the Coldstream Airfield, at Lot 5, LP129849, Killara Road, Coldstream must comply with Permit No. PS/5416 dated 30 January 1979 and Plan No. 865AP dated 13 September 1978 drawn by Paul Millar and Associates modified by Permit Nos. PS/8024 and PS/8209.

Subject to the grant of a permit, the land may be developed and used for an aircraft and aviation education facility, generally in accordance with plan Nos. 9884-TP1, 9884-TP2 and 9884-TP3, prepared by Synectic Design and dated 13 January 2000.
SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

EDUCATION FACILITY

Purpose

To provide for the use of land for a major education facility, particularly if the facility is combined with other community or religious 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 1997.</td>
</tr>
<tr>
<td>Education centre</td>
<td>If the use is for the Life Ministry Centre, Old Melbourne Road, Chirnside Park, it must be in accordance with the plan entitled ‘Proposed 10 Year Development Plan 1991-2001’ dated 25 July 1990 and prepared by Michol Design.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td>If the use is for the Life Ministry Centre, Old Melbourne Road, Chirnside Park, it must be in accordance with the plan entitled ‘Proposed 10 Year Development Plan 1991-2001’ dated 25 July 1990 and prepared by Michol Design.</td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td>If the use is for the Life Ministry Centre, Old Melbourne Road, Chirnside Park, it must be in accordance with the plan entitled ‘Proposed 10 Year Development Plan 1991-2001’ dated 25 July 1990 and prepared by Michol Design.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Residential building)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
<td></td>
</tr>
</tbody>
</table>

**Advertising signs**

This zone is in Category 4.
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

CHIRNSIDE PARK COUNTRY CLUB

Purpose
To provide for the ongoing use of the land as a restricted recreation facility.
To ensure that the use and development of the land minimises adverse impact on the use and development of nearby land.

1.0 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 1997.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural Systems</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Must be generally in accordance with the requirements outlined in Section 2 of this Schedule.</td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
<td>Must be for visitors associated with leisure, recreation or tourist related activities carried out on the land.</td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be for visitors associated with leisure, recreation or tourist related activities carried out on the land.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Must not be more than 200 square metres in area.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

**Use**

- Agriculture (other than Apiculture)
- Leisure and recreation (other than Informal outdoor recreation and Restricted recreation facility)
- Retail premise (other than Shop and Restaurant)
- Any other use not in Section 1 or 2

**Use of land**

**Patron Numbers**

- Private functions: Up to 200 people
- Bistro and alfresco dining area: Up to 250 people
- Conferences: Up to 100 people
- Tennis courts: Up to 80 people (players and spectators)
- Bowling green and club house: Up to 170 people (players and spectators)
- Other areas within the general clubhouse (eg sports bar, lounge area): Maximum 100 people

**Hours of Operation**

**a) Chirnside Park Country Club Activities**

- Monday to Saturday: At any time
- Sunday: Between 12 midnight and 1am, also 10am and 12 midnight *

*Note: Cleaning and general maintenance may be carried out beyond the hours specified above.

**b) Private Functions**

- Monday to Saturday: Between 7am and 1am the following day
- Sunday: Between 10am and 12 midnight

**Gaming Machines**

No more than 37 gaming machines are to be provided on-site.
2.4 Car Parking
No less than 250 car parking spaces are to be provided on-site.

3.0 Subdivision
None specified

4.0 Buildings and works
None specified

5.0 Advertising signs
This zone is in Category 4.
SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

EXTRACTIVE RESOURCE ENVIRONMENTAL BUFFER

Purpose
To protect properties in proximity to an extractive industry use from noise, dust, visual intrusion and other adverse impacts.

To maintain the amenity of the immediate area, by protecting remnant vegetation and by using extensive landscaping and visual screening.

To preserve the option of future exploitation of stone deposits and ensure the detailed environmental and other assessment of any future stone extraction proposal through a planning scheme amendment process.

To prevent the intrusion of uses into the area which are incompatible with an extractive industry use.

1.0 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 1997.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 2.0 of this schedule.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaning or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, and Timber production)</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 2.0 of this schedule.</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>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Must meet the requirements of Clause 52.18.</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Dependent person’s unit and Dwelling)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Dependent person’s unit - if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
</tbody>
</table>
Use

Office
Retail premises (other than Primary produce sales)
Saleyard
Sawmill
Service station
Transport terminal
Warehouse

2.0
19/01/2006
VC37

Use of land

Dwellings
A lot may be used for one dwelling provided the following requirements are met:

- Access must be provided via an all-weather road to the satisfaction of the responsible authority.

- 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 Environmental 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 to the satisfaction of the responsible authority.

- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

3.0
19/01/2006
VC37

Subdivision
Each lot must be at least 40 hectares.
A permit may be granted to create smaller lots if either of the following applies:

- The subdivision is the re-subdivision of existing lots. The number of lots must not be increased and all lots must be at least 4 hectares.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

4.0
19/01/2006
VC37

Buildings and works
A permit is not required to construct a building or construct or carry out works associated with a use in Section 1 of Clause 1.0 of this schedule.
A permit is required to remove, destroy or lop any vegetation.

5.0
19/01/2006
VC37

Advertising signs
This zone is in Category 4.
SCHEDULE 7 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ7.

BILLANOOK COLLEGE

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for the continual use and development of the land for the purposes of an education centre.

To provide for the use and development of the land generally in accordance with the ‘Billanook College Master Plan October 2011’.

To protect and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that the use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and character of the rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>No more than 6 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>Carnival</td>
<td>Must meet the requirements of a ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Circus</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Must be used in conjunction with Billanook College, Cardigan Road, Mooroolbark</td>
</tr>
<tr>
<td></td>
<td>Must be generally in accordance with the plan entitled ‘Billanook College Master Plan October 2011’.</td>
</tr>
<tr>
<td></td>
<td>The number of children present at the child care centre at anytime must not exceed 120.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must be generally in accordance with the ‘Billanook College Master Plan October 2011’.</td>
</tr>
<tr>
<td></td>
<td>The total number of students enrolled at the education centre at any time must not exceed 1,170.</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 keeping, Apiculture, Intensive animal husbandry and Timber production)</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery. The number of patrons present at any one time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Camping and Caravan Park</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>Community market</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Part 2 of this schedule.</td>
</tr>
<tr>
<td>Dwelling (other than bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Part 2 of this schedule.</td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Host farm</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>Major sport and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present at any one time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>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>Rural store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 52.18.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Any other use not in Section 1 or 3</td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

- Abattoir
- Accommodation (other than Camping and caravan park, Corrective institution, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building).
- Brothel
- Child care centre – if the Section 1 conditions are not met
- Cinema based entertainment facility
- Display home
- Education centre – if the Section 1 conditions are not met
- Funeral parlour
- Hospital
- Industry (other than Rural industry)
- Intensive animal husbandry
- Motor racing track
- Office
- Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship, and Restricted place of assembly)
- Retail premises (other than Community market, Plant nursery, Primary produce sales and Restaurant)
- Saleyard
- Sawmill
- Service station
- Transport terminal
- Warehouse (other than Freezing and cool storage, Rural store, and Vehicle store)
2.0

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road and 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 Environmental 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 firefighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

3.0

Subdivision

A permit is required to subdivide land.

Each lot must be at least 1 hectare in size with an average lot yield not exceeding 1 lot to each 2 hectares of site area and a maximum lot size of 3 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

4.0

Long term lease or licence for Accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

5.0

Buildings and works

Permit requirement

A permit is required to construct or carry out any of the following:

- Buildings or works associated with the use of the land for any Section 1 use that is generally in accordance with the Billanook College Master Plan October 2011.
- Buildings or works associated with a use in Section 2 of this schedule. This does not apply to an alteration or extension to an existing dwelling with a floor area of no more than 50 square metres.
Earthworks that exceed 1 metre in height or depth if the works change the rate of flow or the discharge point of water across a property boundary or increase the discharge of saline groundwater.

A building within any of the following setbacks:
- 10 metres from any road.
- 5 metres from the property boundary.
- 30 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

Any buildings and works associated with an Education centre, Child care centre, Place of assembly, Indoor recreation facility or Winery must be generally in accordance with the Billanook College Master Plan October 2011.

Exemption from notice and review
An application to 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 if it is generally in accordance with ‘Billanook College Master Plan October 2011’.

Application requirements
An application to construct a building or construct or carry out works must be accompanied by information as specified in the Billanook College Master Plan October 2011.

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 at Clause 65, the responsible authority must consider, as appropriate:

General issues
- The Billanook College Master Plan October 2011.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification and natural resource management.
- Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.
- The need to protect the amenity of existing residents.

Rural issues
- The environmental capability of the site to sustain the development.
- The need to prepare and integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emissions of effluent, noise, dust and odours.

- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.

- How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.

- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**

- The need to minimise any adverse impacts of the siting, design, height, bulk, and colours and materials to be used on major roads, landscape features and vistas.

- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.

- The impact on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.

**Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

*Note:* Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.
SCHEDULE 8 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ8.

LITTLE YARRA STEINER SCHOOL

Purpose
To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for the ongoing use and development of the land for the purposes of an education centre.

To provide for the use and development of the land in accordance with the ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

To protect and enhance the biodiversity of the area.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 6 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>Carnival</td>
<td>Must meet the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Circus</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Must be used in conjunction with the Little Yarra Steiner School.</td>
</tr>
<tr>
<td></td>
<td>Must be generally in accordance with the plan named ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.</td>
</tr>
<tr>
<td></td>
<td>The number of children present at the child care centre at anytime must not exceed 80.</td>
</tr>
<tr>
<td>Crop raising (other than Rice growing and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be used in conjunction with the Little Yarra Steiner School.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Condition</strong></td>
<td>Must be not more than two dwellings on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 2.0 of this schedule.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'. The total number of students enrolled at the education centre at any time must not exceed 700.</td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</td>
</tr>
<tr>
<td>Hall</td>
<td>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</td>
</tr>
<tr>
<td>Home occupation</td>
<td>Must be used in conjunction with the Little Yarra Steiner School.</td>
</tr>
<tr>
<td>Host farm</td>
<td>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be generally in accordance with the plan named 'Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)'.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td><strong>Section 2 - Permit required</strong></td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Apiculture, Broiler farm, Cattle feedlot, Crop raising and Extensive animal husbandry)</td>
<td>Must meet the requirements of Clause 52.31.</td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Must meet the requirements of Clause 52.31.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must meet the requirements of Clause 52.26.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>The site must be located outside a catchment area listed in Appendix 2</td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Dependent persons unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 52.30.</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present at any time must not exceed the number</td>
</tr>
<tr>
<td></td>
<td>specified in a schedule to the zone or 150 patrons, whichever is the</td>
</tr>
<tr>
<td></td>
<td>lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td></td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td></td>
<td>specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of dwellings must not exceed the number specified in a</td>
</tr>
<tr>
<td></td>
<td>schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td></td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td></td>
<td>specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Host farm – if the Section 1 condition is not</td>
<td></td>
</tr>
<tr>
<td>met</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Indoor</td>
<td></td>
</tr>
<tr>
<td>recreation facility, Informal outdoor</td>
<td></td>
</tr>
<tr>
<td>recreation, Major sports and</td>
<td></td>
</tr>
<tr>
<td>recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of rural industry.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with agriculture Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 52.18.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</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 Camping and caravan park, Corrective institution, Dependent person’s unit, Dwelling, Group accommodation, Host farm, and Residential building)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Child care centre – if the Section 1 conditions are not met</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Display home</td>
</tr>
<tr>
<td>Education centre – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hall – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Indoor recreation facility – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Research and development centre, Rural industry and Transfer station)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship, and Restricted place of assembly)</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales, and Restaurant)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot, and Vehicle store)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

Long term lease or licence for Accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

Buildings and works

Permit requirement

A permit is required to construct or carry out any of the following:

- A building or works associated with any use in Section 1.0 of the Schedule that is required to be generally in accordance with the plan named ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.
- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
- An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.

* Earthworks that exceed 1 metre in height or depth if the works change the rate of flow or the discharge point of water across a property boundary or increase the discharge of saline groundwater.
* A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

Any buildings or works associated with an Childcare centre, Dwelling, Education centre, Hall, Host farm, or Indoor recreation facility must be generally in accordance with the ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.

**Exemption from notice and review**

An application to construct a building or to 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 requirements of section 82(1) of the Act if it is generally in accordance with the ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.

**Application requirements**

An application to construct a building or to construct or carry out works must be accompanied by information as specified in the ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. Any Regional Catchment Strategy and associated plan applying to the land.
- The ‘Little Yarra Steiner School Special Use Zone 8 - Master Plan (Mar 2009)’.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.

The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.

**Rural issues**

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

**Environmental issues**

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

**Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ9.

EASTERN GOLF CLUB

Purpose
To provide for use and development of the land for an outdoor recreation facility (golf course), Restricted recreational facility and Function centre, Crop raising (turf farm), a limited licence for the function room and golf carts and full club licence for the Club House, buildings and works associated with a dwelling and group accommodation, the removal of vegetation and the erection of advertising signage.

To ensure that the use and development of the land minimises adverse impact on the use and development of nearby land.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crop raising</td>
<td>Must be in accordance with the Incorporated Document Eastern Golf Club Yering, February 2013.</td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural Systems</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Must be in accordance with the Incorporated Document Eastern Golf Club Yering, February 2013.</td>
</tr>
<tr>
<td>Restricted recreational facility</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping and caravan park, Corrective institution, Dependent person's unit, Dwelling, Group accommodation, Host farm, and Residential building)</td>
</tr>
</tbody>
</table>
### Use

Brothel
Child care centre
Cinema based entertainment facility
Display home
Education centre
Funeral parlour
Hospital
Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)
Motor racing track
Office
Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship, and Restricted place of assembly)
Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales, and Restaurant)
Service station
Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot, and Vehicle store)

### Use of land

Despite any Overlay or other provision of this planning scheme, the land may be used and developed in accordance with the specific controls in the incorporated document "Eastern Golf Club Yering, February 2013".

### Subdivision

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>All land</td>
</tr>
<tr>
<td>area (hectares).</td>
<td>Except as provided for in the schedule to Clause 51.03, a minimum lot size of 18 hectares with an average lot yield not exceeding 1 lot to each 25 hectares of site area and a maximum lot size of 44 hectares.</td>
</tr>
</tbody>
</table>

### Buildings and works

No permit is required for the buildings and works described in the incorporated document “Eastern Golf Club Yering, February 2013”.
SCHEDULE 10 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ10.

LOTS 7 AND 8 LP127612 MAROONDAH HIGHWAY, COLDSTREAM

Purpose
To provide for the use of the land for a major tourist facility subject to appropriate controls on any future changes to the use and management of the land.

To provide for use and development of the land for a ‘Place of Assembly’ to allow for outdoor entertainment.

To ensure that the use and development of the land minimises adverse impact on the use and development of nearby land.

To provide for the use of the land for agriculture.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural, and scenic non-urban landscapes.

To protect and enhance the biodiversity of the area.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Rice growing and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 5 animals</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must be for outdoor concerts</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirement set out in Clause 2.0 of this schedule</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot</td>
</tr>
<tr>
<td>Tramway</td>
<td>Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td>Must meet the requirements of Clause 52.31</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Must meet the requirements of Clause 52.26</td>
</tr>
<tr>
<td>Camping and caravan park</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>Cattle feedlot</td>
<td>Must meet the requirements of Clause 52.26</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport</td>
</tr>
<tr>
<td>Intensive animal husbandry (other than Broiler farm and Cattle feedlot)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station</td>
</tr>
<tr>
<td></td>
<td>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials</td>
</tr>
<tr>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly) – if the Section 1 condition is not met</td>
<td>Parking on site must not exceed 3,000 vehicles.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery</td>
</tr>
<tr>
<td>Research centre</td>
<td></td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 52.18</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or scrap construction and demolition materials</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility) Vehicle store</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 Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Child care centre</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Display home</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
</tr>
</tbody>
</table>
Use of land for place of assembly

Summer concert series
Concerts must not be held on Good Friday, ANZAC Day, or Christmas Day.
Concerts exceeding 3,000 patrons must be held as part of a summer concert series between October and April and no more than eight (8) concerts may be held per series.
Of the eight (8) concerts exceeding 3,000 patrons no more than two may be held on a Sunday and must not be held on the Sunday of a long weekend.
Concerts held on a Sunday must not exceed 6,000 patrons.
Concerts of over 10,000 patrons must manage ticket sales to restrict parking.
Parking on site must be limited to 3,000 vehicles.
Noise from events including any music noise associated with the use must at all times conform with the State Environment Protection Policies SEPP N-2.
The event website must show access and parking arrangements as a means to minimise any confusion to patrons.

Auditing of concerts
Each concert over 3,000 patrons must be audited by the concert operator. The audit must document:
- The numbers of patrons in attendance.
- Compliance with the conditions of this schedule.
- Hours of operation.
- Compliance with acoustic requirements.
- Any amenity issues raised by nearby property owners.
A report on the audit must be submitted to the responsible authority within one month of the completion of each season of concerts or is to be made available to the responsibility authority on request.
For each concert with an expected attendance of over 6,000 patrons traffic surveys must be undertaken to the satisfaction of the responsible authority in consultation with the relevant road authorities and emergency services authorities. The surveys may include parking surveys, traffic volume surveys, turning movement surveys and travel time surveys, depending on the areas of concern.
A report on the traffic surveys must be submitted to the responsible authority within two weeks of the relevant concert.

Event management plan
At least two months before the concert series begins three copies of an Event Management Plan must be submitted to the responsible authority for written approval.
The plan must be developed in consultation with the responsible authority and other relevant authorities.
The Event Management Plan must be developed and complied with to the satisfaction of the responsible authority.
Before deciding to approve the Event Management Plan the Responsible Authority may take into account the views of neighbouring properties.
The Event Management Plan must be updated on a yearly basis to address to address any issues from audits or complaints received.
Copies of the Event Management Plan must be distributed to all relevant authorities at least two weeks before the concert series begins.

The Event Management Plan must include the following:

1. Details of each proposed concert exceeding 3,000 patrons including dates, hours, and numbers of patrons.
2. The properties to be receiving notice of concerts exceeding 3,000 patrons.
3. A site plan that shows:
   - The delineation of all car and bus parking areas.
   - The location of the stage and all ancillary installations and activities.
   - Internal circulation.
   - Location of free water to be available to patrons.
4. An Emergency Management and Fire Prevention Plan (relevant authorities Country Fire Authority, Victoria Police) to include:
   - Contingency plans for emergency situations including but not limited to fire, power failure, and medical emergencies.
   - Provision of (as appropriate) a medical officer, ambulance crew(s) and St John's ambulance team(s) adequate to cater for the number of patrons anticipated to attend each concert.
   - Access and egress points to be clearly identified by signs and lighting.
5. A Security Plan (relevant authority - Victoria Police) to include:
   - Personnel numbers, management structure, roles, responsibilities, powers and procedures.
   - Details and frequency of security patrols internal and external to the property.
   - Treatment and identification of property boundaries.
   - Communication provisions.
   - Security provisions and protocols for nearby residents and properties.
6. A Waste Management Plan to include:
   - Waste streams likely to be created on site
   - Management methods for each waste stream
   - Collection of litter from crown land of or repair of any damage directly attributable to the event, to the satisfaction of the responsible authority.
7. A Complaint Management Plan to include:
   - Mechanisms for ensuring complaints which are lodged during concerts are able to be received and responded to.
   - The 'log' form must include how the complaint was resolved and complainant details.
   - Evidence of public liability insurance.
8. A Traffic Management Plan (relevant authorities – VicRoads, Victoria Police) to include:
   - Different management regimes for different size concerts.
   - The delineation of all car and bus parking areas including alternative parking arrangements for car and bus parking should the normal parking area be too wet.
   - Car parking management.
   - Access routes to and from the site.
   - Traffic controls and signing proposed along all roads used for directing traffic.
   - Area wide traffic management considering all routes to the site including back roads.
   - Traffic management procedures and personnel.
   - Anticipated time of traffic disruptions.
   - Schedules of any bus services including free or other shuttle bus service from off site parking locations.
   - Contingency plans in case of breakdowns.
For concerts of more than 3,000 patrons, the Traffic Management Plan be approved under the provisions of the Road Safety Act 1986.

2.4
25/09/2014
C118

Notification of concerts exceeding 3,000 patrons

Two months before the concert series begins letters must be sent to neighbouring properties. The letter will advise neighbours of the proposed schedule of concerts exceeding 3,000 patrons for the forthcoming summer concert series as well as any changed traffic conditions. This will be undertaken in accordance with the requirements of the Event Management Plan.

One week before a proposed concert exceeding 3,000 patrons, a sign must be placed on the Hill Road gate notifying the public of the proposed changed traffic conditions. Similar variable message signs to be placed at:

- Maroondah Hwy, Healesville north of Yarra Glen Road intersection facing south bound traffic
- Maroondah Hwy, Coldstream south of the Melba Hwy intersection facing north bound traffic.

Amendment of dates for concerts exceeding 3,000 patrons

In the event that a previously notified concert exceeding 3,000 patrons is cancelled and rescheduled to an alternative date the following procedure must be followed:

- Council must be advised in writing of the alternative date for the rescheduled concert.
- A notice must be placed in the local paper advising of the alternative date and proposed change of traffic conditions.
- Letters must be sent to neighbouring properties. The properties to be advised must be identified within the Event Management Plan.

One week before a rescheduled concert, a sign must be placed on the Hill Road gate notifying the public of the proposed changed traffic conditions. Similar variable message signs to be placed at:

- Maroondah Hwy, Healesville north of Yarra Glen Road intersection facing south bound traffic
- Maroondah Hwy, Coldstream south of the Melba Hwy intersection facing north bound traffic.

2.5
25/09/2014
C118

Car parking requirements

When the site is being used for an outdoor concert, parking must be provided at a rate of no less than 0.27 car spaces to each patron and no less than 0.025 bus spaces to each patron.

These rates do not apply if ticket sales specifically restrict the number of patron arriving by private vehicle.

3.0
25/09/2014
C118

Subdivision

A permit is required to subdivide land.

4.0
25/09/2014
C118

Buildings, works and engineering requirements

A permit is required to construct buildings or carry out works except where the buildings or works are specifically identified in an approved Event Management Plan.

All internal parking areas and vehicular access ways must be maintained to the satisfaction of the Responsible Authority.

The parking areas and vehicular access ways must not be obstructed or made inaccessible to the satisfaction of the Responsible Authority.

All vehicles must enter and exit the site in a forward direction.
SCHEDULE 11 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ11.

BURNHAM BEECHES RESIDENTIAL HOTEL AND RESORT

Purpose
To provide for the use of 1 Sherbrooke Road, Sherbrooke (CP161674), known as Burnham Beeches, as a residential hotel and resort with associated functions.

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 1997</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Must be for tourists</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 Dwelling)</td>
<td>Must not be for a Primary School, Secondary School or Tertiary Institution</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be for guest or staff accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must be a brewery</td>
</tr>
<tr>
<td>Manufacturing Sales</td>
<td>Must be a brewery</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>Convenience restaurant</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
</tbody>
</table>
Use of land

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Bushfire Emergency Management Plan (BEMP), prepared in consultation with the Country Fire Authority and relevant Emergency Services, which addresses:
  - Specified measures to reduce emergency risk;
  - A bushfire protection maintenance program;
  - Procedures for implementing the closure of the site, together with any specific requirements to respond to days or times at which the facility must be closed;
  - Detailed procedures (including communications, response and evacuation) and responsibilities for bushfire monitoring and plan activation;
  - Identification of the trigger points for activation of the shelter-in-place procedures versus evacuation procedures and assigned responsibility for the implementation of the identified procedures;
  - Evacuation procedures modelled in a flow chart process with locations of Neighbourhood Safer Places or other places of refuge for use during a bushfire event;
  - Shelter-in-place procedures for stations with demonstrated capacity for maximum patron numbers;
  - Identification of any active firefighting systems and equipment in relation to the stations;
  - Details of fire warden responsibilities, an emergency control organisation, and staff training;
  - Back up continuity for power to the site;
  - Integration with relevant emergency services’ operational response plans;

- Site plan, photographs or other techniques and must accurately show:
  - The layout of all existing and proposed buildings and works.
  - The nature and extent of any proposed demolition or alteration to any building or structure.
  - Associated landscaping, incorporating a landscape plan with a planting schedule. Both the removal and replanting of vegetation must be shown.
  - The location of all car parking and loading areas, with access to and from these areas, and the number of car parking spaces.
  - Vehicle and pedestrian accessways within and to and from the site.
  - The location and provision of services on the site, including sewerage treatment and refuse disposal.
The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of Heritage Victoria.
- The Bushfire Emergency Management Plan
- Any comments received from the public notification of the application.
- Protection of the historical and cultural integrity and special values of the site.
- Any other appropriate matter.

3.0
11/10/2018
C142

Subdivision
None specified.

4.0
11/10/2018
C142

Buildings and works
None specified.

5.0
11/10/2018
C142

Signs
None specified.
URBAN FLOODWAY ZONE

Shown on the planning scheme map as UFZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

37.03-3

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.

37.03-4

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>
OVERLAYS

This section sets out the overlays which apply in this scheme.
[NO CONTENT]
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></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>Clause 59.01</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>- 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>Clause 59.02</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

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. Clause 59.02

Remove, destroy or lop one tree. Clause 59.05

Construct a building or construct or carry out works for:

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

<table>
<thead>
<tr>
<th>Table of exemptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency works</td>
</tr>
</tbody>
</table>

Vegetation that is to be removed, destroyed or lopped:

- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

Extractive industry

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.

Fire protection

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:

- fire fighting;
- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
- in accordance with a fire prevention notice issued under either:
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.* |
| Noxious weeds                              | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| Pest animal burrows                        | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  
  In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| Planted vegetation                         | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| Railways                                   | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Regrowth                                   | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: |
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 Owners Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional Owners Settlement Amendment Act in 2016 (1 May 2017).

Application requirements
An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as:

- ESO1-B1 to ESO1-B75
- ESO1-Z1 to ESO1-Z39

SITES OF BOTANICAL SIGNIFICANCE
SITES OF ZOOLOGICAL SIGNIFICANCE

1.0 Statement of environmental significance

The Shire contains extensive areas of remnant bushland which are an intrinsic part of the Shire’s unique landscape and environmental character.

Sites of botanical and zoological significance also play an important role in contributing to the ecological processes and biodiversity of the region by forming core habitat areas within a complex network of wildlife corridors along roadsides and watercourses. Development within and around these sites needs to be appropriately managed to ensure the long term protection and sustainability of these ecological processes.

These sites have been identified following detailed assessment of their botanical and zoological significance in studies carried out as part of previous reviews of the Regional Strategy Plan and planning schemes in the Shire.

The reference codes (eg B1 and Z1) shown on the planning scheme map for these sites correspond with the list of sites at Clause 6.0 of this schedule. This list describes the sites and has a cross-reference to the Regional Strategy Plan.

Reference documents and technical reports

- *Sites of Botanical Significance in the Upper Yarra Region* by Gullan et al (1979)
- *Sites of Environmental Significance in the Flood Plain of the Upper Yarra River* by Rosengren et al (1983)
- *Sites of Zoological Significance in the Upper Yarra Region* by M R Fleming et al (1979)
- *Report on the Sites of Zoological Significance in the Upper Yarra Valley (Western Sections) and Dandenong Ranges* by I Mansergh et al (May 1989)
- *105-111 Hereford Road Mt Evelyn: Flora & Fauna Assessment with particular reference to the Powerful Owl* by A R G McMahon et al (April 1996)
- *Upper Yarra Valley & Dandenong Ranges Biodiversity Study Discussion Paper* by P Christoff and F Wishart (June 1994)

2.0 Environmental objective to be achieved

Ensure the long term protection of the wildlife habitat and other conservation values of sites of botanical and zoological significance.

Recognise the importance of sites of botanical and zoological significance as core habitat areas.

Ensure that the habitat value of the sites is not diminished by the incremental removal of remnant vegetation or inappropriate development.

Protect the natural resources and maintain the ecological processes and genetic diversity of the region.

Ensure that any new development is sensitively designed and sited to reinforce the existing environmental characteristics of the area.
3.0

Permit requirement

A permit is not required to construct a building, construct or carry out works or remove, destroy or lop any vegetation (whether exotic or native), if a permit is not required under the schedule to Clause 51.03.

4.0

Application requirements

An application must be accompanied (as appropriate) by a written statement identifying how the proposed development has responded to the surrounding physical and environmental features, having regard to:

- The significance of existing native vegetation and its value as a refuge or habitat for wildlife.
- Prevention of soil erosion.
- Protection of the environment of watercourses.
- Protection of the site from wildfire.
- Identification of areas within which development is to be precluded, and areas which require treatment in specified ways.
- Provision for an appraisal of areas in the vicinity of land affected by the overlay and the development of programs, where possible, which are supportive of the management of such land and for consideration of external factors in relation to the site, such as buffer zones, flight paths for birds, the need for the management of feral animals and the control of environmental weeds.
- Eradication of environmental weed infestations, to prevent degradation of the site.
- Protection of the site from domestic pets and vermin.

5.0

Decision guidelines

Before deciding on an application to construct a building, construct or carry out works or remove, destroy or lop vegetation, the responsible authority must consider, as appropriate:

- Whether the proposal will conflict with the objectives of this overlay.
- The significance of any remnant vegetation that may be affected by the proposal, in terms of its rarity, variety or as a habitat for wildlife.
- The need to avoid the clearing of any remnant indigenous vegetation, especially on slopes greater than 20 percent or within 30 metres of a watercourse.
- The capability of the particular site to accommodate the proposed development without adversely affecting the environmental features of the site and its environs or causing soil erosion or other land degradation.
- Any alternative means of locating proposed buildings and works so as to protect and enhance the environmental features of the site and its environs.
- Whether appropriate management practices are proposed, including the control of vermin and environmental weeds, domestic pets, the fencing of significant vegetation from grazing animals, the prevention of soil erosion, fire prevention measures, and revegetation of degraded areas with native plant species that are indigenous to the area within which they are to be used.
- The comments of the Department of Natural Resources and Environment.
## List of sites of botanical and zoological significance

### Sites of botanical significance

<table>
<thead>
<tr>
<th>Site No</th>
<th>Site name</th>
<th>RSP No</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>Silvan Reservoir</td>
<td>25</td>
</tr>
<tr>
<td>B2</td>
<td>Doongalla Forest Reserve</td>
<td>27</td>
</tr>
<tr>
<td>B3</td>
<td>Olinda State Forest</td>
<td>28</td>
</tr>
<tr>
<td>B4</td>
<td>Macclesfield</td>
<td>31</td>
</tr>
<tr>
<td>B5</td>
<td>Yarra River</td>
<td>36</td>
</tr>
<tr>
<td>B6</td>
<td>Montrose Reserve</td>
<td>37</td>
</tr>
<tr>
<td>B7</td>
<td>Warramate Hills</td>
<td>38</td>
</tr>
<tr>
<td>B8</td>
<td>Wandin North (Warburton Road)</td>
<td>39</td>
</tr>
<tr>
<td>B9</td>
<td>Killara</td>
<td>40</td>
</tr>
<tr>
<td>B10</td>
<td>Olinda Creek Pipeline</td>
<td>41</td>
</tr>
<tr>
<td>B11</td>
<td>Coldstream West Billabong</td>
<td>46</td>
</tr>
<tr>
<td>B12</td>
<td>Spadonis Reserve</td>
<td>47</td>
</tr>
<tr>
<td>B13</td>
<td>Eucalyptus crenulata stand (Yering)</td>
<td>48</td>
</tr>
<tr>
<td>B14</td>
<td>Eucalyptus yarraensis stands (Coldstream, Yarra Glen districts)</td>
<td>49</td>
</tr>
<tr>
<td>B15</td>
<td>Coranderrk Bushland</td>
<td>52</td>
</tr>
<tr>
<td>B16</td>
<td>Mt Slide</td>
<td>21</td>
</tr>
<tr>
<td>B17</td>
<td>Lowes Road</td>
<td>77</td>
</tr>
<tr>
<td>B18</td>
<td>Eagles Domain</td>
<td>78</td>
</tr>
<tr>
<td>B19</td>
<td>Everard Park</td>
<td>50</td>
</tr>
<tr>
<td>B20</td>
<td>Yarra River (Warramate Hills)</td>
<td>51</td>
</tr>
<tr>
<td>B21</td>
<td>River frontage (north of Woori Yallock)</td>
<td>53</td>
</tr>
<tr>
<td>B22</td>
<td>Yellingbo (Parslows Bridge)</td>
<td>54</td>
</tr>
<tr>
<td>B23</td>
<td>Tarrawarra Road (Eucalyptus pauciflora stand)</td>
<td>67</td>
</tr>
<tr>
<td>B24</td>
<td>Coldstream (Leonard Road)</td>
<td>68</td>
</tr>
<tr>
<td>B25</td>
<td>Yering (Rail Reserve)</td>
<td>69</td>
</tr>
<tr>
<td>B26</td>
<td>Spring Lane</td>
<td>70</td>
</tr>
<tr>
<td>B27</td>
<td>Brushy Creek</td>
<td>72</td>
</tr>
<tr>
<td>B28</td>
<td>Montrose (West)</td>
<td>73</td>
</tr>
<tr>
<td>B29</td>
<td>Leversha Reserve</td>
<td>74</td>
</tr>
<tr>
<td>Site No</td>
<td>Site name</td>
<td>RSP No</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>B30</td>
<td>Kilsyth South (east of Liverpool Road)</td>
<td>75b</td>
</tr>
<tr>
<td>B31</td>
<td>Dandenong Ranges National Park (Sherbrooke Forest)</td>
<td>24</td>
</tr>
<tr>
<td>B32</td>
<td>Cardinia Reservoir (west of Duffys Road)</td>
<td>26</td>
</tr>
<tr>
<td>B33</td>
<td>Dandenong Ranges National Park (Upper Ferntree Gully)</td>
<td>29</td>
</tr>
<tr>
<td>B34</td>
<td>Monbulk (Sassafras Creek)</td>
<td>33</td>
</tr>
<tr>
<td>B35</td>
<td>Belgrave South (including Courtneys Road Reserve)</td>
<td>35</td>
</tr>
<tr>
<td>B36</td>
<td>Menzies Creek (north of Kallista-Emerald Road)</td>
<td>44b</td>
</tr>
<tr>
<td>B37</td>
<td>Lysterfield Reserve</td>
<td>45</td>
</tr>
<tr>
<td>B38</td>
<td>Macclesfield Creek</td>
<td>30</td>
</tr>
<tr>
<td>B39</td>
<td>Macclesfield Swamps</td>
<td>32</td>
</tr>
<tr>
<td>B40</td>
<td>The O'Shanassy Catchment</td>
<td>1</td>
</tr>
<tr>
<td>B41</td>
<td>The Cement Creek Catchment</td>
<td>2</td>
</tr>
<tr>
<td>B42</td>
<td>The Maroondah Catchment</td>
<td>4</td>
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<tr>
<td>B43</td>
<td>Watts River Reference Area</td>
<td>5</td>
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<tr>
<td>B44</td>
<td>Myrtle Gully Scenic Reserve</td>
<td>6</td>
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<tr>
<td>B45</td>
<td>Myrtle Creek (Don River) Public Purpose Reserve</td>
<td>7</td>
</tr>
<tr>
<td>B46</td>
<td>The Acheron Way and the Ben Caim Road</td>
<td>8</td>
</tr>
<tr>
<td>B47</td>
<td>O'Shanassy Aqueduct</td>
<td>10</td>
</tr>
<tr>
<td>B48</td>
<td>Upper Yarra Catchment</td>
<td>11</td>
</tr>
<tr>
<td>B49</td>
<td>Upper Yarra Catchment – Clear Creek</td>
<td>12</td>
</tr>
<tr>
<td>B50</td>
<td>Cumberland Creek Scenic Reserve</td>
<td>13</td>
</tr>
<tr>
<td>B51</td>
<td>Starvation Creek</td>
<td>14</td>
</tr>
<tr>
<td>B52</td>
<td>McMahons Creek</td>
<td>15</td>
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<tr>
<td>B53</td>
<td>Yarra Junction</td>
<td>16</td>
</tr>
<tr>
<td>B54</td>
<td>Tomahawk Creek</td>
<td>17</td>
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<tr>
<td>B55</td>
<td>Britannia Creek</td>
<td>18</td>
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<tr>
<td>B56</td>
<td>Frenchmans Spur</td>
<td>19</td>
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<tr>
<td>B57</td>
<td>Upper Thomson River</td>
<td>23</td>
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<tr>
<td>B58</td>
<td>Melaleuca squarrosa swamp - Caulfield Grammar Farm</td>
<td>55</td>
</tr>
<tr>
<td>B59</td>
<td>Melaleuca squarrosa swamp - Yarra Junction</td>
<td>56</td>
</tr>
<tr>
<td>B60</td>
<td>Little Yarra River (north-west of Gladysdale)</td>
<td>57</td>
</tr>
<tr>
<td>Site No</td>
<td>Site name</td>
<td>RSP No</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>B61</td>
<td>Little Yarra River (south-west of Gladysdale)</td>
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<tr>
<td>B62</td>
<td>Gilderoy West</td>
<td>59</td>
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<tr>
<td>B63</td>
<td>Gilderoy Roadside</td>
<td>60</td>
</tr>
<tr>
<td>B64</td>
<td>Wesburn Recreation Reserve</td>
<td>61</td>
</tr>
<tr>
<td>B65</td>
<td>Big Pats Creek</td>
<td>62</td>
</tr>
<tr>
<td>B66</td>
<td>Upper Yarra River – Warburton to McMahons Creek</td>
<td>63</td>
</tr>
<tr>
<td>B67</td>
<td>O’Shannassy Creek - Yarra River Confluence</td>
<td>64</td>
</tr>
<tr>
<td>B68</td>
<td>Yarra River below Upper Yarra Dam</td>
<td>65</td>
</tr>
<tr>
<td>B69</td>
<td>Swamp Gum community below Upper Yarra Dam</td>
<td>66</td>
</tr>
<tr>
<td>B70</td>
<td>Pauls Range</td>
<td>20</td>
</tr>
<tr>
<td>B71</td>
<td>Christmas Hills (east of Skyline Road)</td>
<td>22</td>
</tr>
<tr>
<td>B72</td>
<td>Coranderrk Aqueduct</td>
<td>9</td>
</tr>
<tr>
<td>B73</td>
<td>Emerald (north of Stewart Road)</td>
<td>43</td>
</tr>
<tr>
<td>B74</td>
<td>Hereford Road, Mt Evelyn</td>
<td>N/A</td>
</tr>
<tr>
<td>B75</td>
<td>Myamin Close Bushland</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Sites of zoological significance

<table>
<thead>
<tr>
<th>Site No</th>
<th>Site name</th>
<th>RSP No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Z1</td>
<td>Yellingbo State Fauna Reserve and Woori Yallock Creek Corridor</td>
<td>1</td>
</tr>
<tr>
<td>Z2</td>
<td>Yarra River and Little Yarra River Corridor</td>
<td>2</td>
</tr>
<tr>
<td>Z3</td>
<td>Dandenong Ranges National Park</td>
<td>9</td>
</tr>
<tr>
<td>Z4</td>
<td>Olinda State Forest, Silvan Reservoir and Olinda Creek Reserve</td>
<td>11</td>
</tr>
<tr>
<td>Z5</td>
<td>Butterfield Wildlife Reserve and Sassafras Creek</td>
<td>12</td>
</tr>
<tr>
<td>Z6</td>
<td>Lilydale Purification Plant</td>
<td>18</td>
</tr>
<tr>
<td>Z7</td>
<td>Farm Dam North of Coldstream</td>
<td>19</td>
</tr>
<tr>
<td>Z8</td>
<td>Leonard Road Bushland</td>
<td>20</td>
</tr>
<tr>
<td>Z9</td>
<td>Picnic Hill Bushland Reserve</td>
<td>21</td>
</tr>
<tr>
<td>Z10</td>
<td>Everard Park</td>
<td>24</td>
</tr>
<tr>
<td>Z11</td>
<td>Warramate Hills</td>
<td>25</td>
</tr>
<tr>
<td>Z12</td>
<td>Kinglake National Park and Pauls Range</td>
<td>3</td>
</tr>
<tr>
<td>Z13</td>
<td>Steels Creek Mine Site</td>
<td>4</td>
</tr>
<tr>
<td>Site No</td>
<td>Site name</td>
<td>RSP No</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Z14</td>
<td>Healesville Sanctuary, Coranderrk and Surrounds</td>
<td>5</td>
</tr>
<tr>
<td>Z15</td>
<td>Watsons Creek Catchment and Yarra Ridge (east of Skyline Road)</td>
<td>7</td>
</tr>
<tr>
<td>Z16</td>
<td>New Chum Creek, Blue Mount and Myers Creek</td>
<td>10</td>
</tr>
<tr>
<td>Z17</td>
<td>Mt Riddell to Mt Monda and Maroondah Catchment</td>
<td>13 &amp; HV5</td>
</tr>
<tr>
<td>Z18</td>
<td>Mt Toole-Be-wong - Don River</td>
<td>28</td>
</tr>
<tr>
<td>Z19</td>
<td>Black Sands Creek and Yarra State Forest</td>
<td>6</td>
</tr>
<tr>
<td>Z20</td>
<td>Lysterfield Lake Park, Ash Flora Reserve and Birds Lake Park</td>
<td>8</td>
</tr>
<tr>
<td>Z21</td>
<td>Mt Beenak, Mt Thule and Milner Hill</td>
<td>14</td>
</tr>
<tr>
<td>Z22</td>
<td>Brushy Creek</td>
<td>17</td>
</tr>
<tr>
<td>Z23</td>
<td>Menzies Creek (part west of Wellington Road &amp; north of Kallista-Emerald Road)</td>
<td>22</td>
</tr>
<tr>
<td>Z24</td>
<td>Macclesfield bushland</td>
<td>26</td>
</tr>
<tr>
<td>Z25</td>
<td>Kerrs Park</td>
<td>35</td>
</tr>
<tr>
<td>Z26</td>
<td>Big River/Frenchmans Creek</td>
<td>UY1</td>
</tr>
<tr>
<td>Z27</td>
<td>Upper Yarra Catchment</td>
<td>UY3</td>
</tr>
<tr>
<td>Z28</td>
<td>O’Shannassy Catchment</td>
<td>UY5</td>
</tr>
<tr>
<td>Z29</td>
<td>Intensive hardwood production areas – Upper Yarra Valley</td>
<td>UY8</td>
</tr>
<tr>
<td>Z30</td>
<td>Cardinia Reservoir - Auravale Lake (area west of Duffys Road)</td>
<td>23</td>
</tr>
<tr>
<td>Z31</td>
<td>Ben Cairn Scenic Road and adjacent areas</td>
<td>HV6</td>
</tr>
<tr>
<td>Z32</td>
<td>Hereford Road, Mt Evelyn</td>
<td>N/A</td>
</tr>
<tr>
<td>Z33</td>
<td>Myamin Close Bushland</td>
<td>N/A</td>
</tr>
<tr>
<td>Z34</td>
<td>Henry Street Bushland Woori Yallock</td>
<td>27</td>
</tr>
<tr>
<td>Z35</td>
<td>Yarra Junction Bushland and Wetland</td>
<td>29</td>
</tr>
<tr>
<td>Z36</td>
<td>Caulfield Grammar School Farm Wetland</td>
<td>30</td>
</tr>
<tr>
<td>Z37</td>
<td>Barrier Creek Headwaters</td>
<td>31</td>
</tr>
<tr>
<td>Z38</td>
<td>Ythan Creek and Dirty Gully Warburton</td>
<td>32</td>
</tr>
<tr>
<td>Z39</td>
<td>Gilderoy Bushland</td>
<td>33</td>
</tr>
</tbody>
</table>
SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

LITTLE STRINGYBARK CREEK CATCHMENT

1.0

Statement of environmental significance

The Little Stringybark Creek is a tributary to the larger Stringybark Creek which flows into the Yarra River. The creek is located 37 kilometres from Melbourne and has an urban catchment of approximately 300 hectares at its headwaters, and a total catchment of approximately 800 hectares at its confluence with the Stringybark Creek. Development in the catchment is a mix of urban and semi-rural. Part of the suburb of Mount Evelyn is located in the upper catchment, while the lower catchment is rural and primarily used for grazing. The lower catchment, in particular, has sections of very good riparian vegetation where the creek flows in a natural curving channel form.

A restoration program for the upper part of the Little Stringybark Creek was initiated in 2008 based on evidence showing that stormwater run-off causes severe ecological degradation in the following ways:

- A far greater volume of run-off is delivered more frequently, causing erosion and channel enlargement and destroying physical habitat.
- Unfiltered run-off is typically of poor quality with high levels of nutrients, sediment and toxicants.
- Hard surfaces prevent infiltration, potentially starving streams of vital dry weather flows (baseflow).

The program is the first ever attempt to restore creek health by treating stormwater across an entire catchment. Protecting the natural flow regime of the Little Stringybark Creek and ensuring good water quality are critical to maintaining the biodiversity and ecological processes of this Creek as well as downstream waterways including Port Phillip Bay. Further development, in particular drainage from impervious surfaces (roofs, roads and paving), is a threat to the health of the Creek.

The ecological protection objectives contained in this schedule have been developed specifically for the Little Stringybark Creek catchment and are designed to mitigate the impact of impervious surfaces created by new buildings and works, that may otherwise undermine the stormwater retention works carried out as part of the restoration program.

2.0

Environmental objective to be achieved

To return the ecological function and health of the Little Stringybark Creek to a level consistent with a natural stream by encouraging stormwater run-off and water quality entering the Little Stringybark Creek from new development to achieve:

- Natural frequency of surface run-off.
- Natural volumes of run-off.
- Natural infiltration rates.
- Natural concentrations of pollutants.

3.0

Permit requirement

A permit is not required to:

- Construct a building or construct or carry out works that create impervious surfaces less than 10 square metres.
- Construct a fence.
- Subdivide land.
- Remove, destroy or lop any vegetation, including dead vegetation.
Application Requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the Scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site layout plan showing the location, size and stormwater drainage connections of proposed stormwater treatment authority.
- Location of any on-site septic systems in relation to the proposed treatment measures.
- Where relevant, design details, such as cross sections, to assess the technical effectiveness of the proposed stormwater treatment measures.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the Scheme which must be considered, as appropriate, by the responsible authority.

Before deciding on an application to construct a building or construct or carry out works, the responsible authority will consider, as appropriate whether it can be demonstrated that the new development can achieve a minimum Stormwater Retention Score (SRS) of 6. This score indicates that 60% of stormwater run-off can be effectively mitigated through water sensitive urban design as outlined in Table 1. A number of factors were considered in setting this minimum standard, including protection of stream health, available technology, site constraints, cost and potential economic impact on applicants.

Standard stormwater systems (e.g. rainwater tank, raingarden) deemed to satisfy a Stormwater Retention Score of 6 are shown in Table 1 below.

In the event that an application does not achieve a minimum SRS score of 6, the responsible authority may consider the following matters:

- Any comments from the relevant waterway management authority.
- The extent to which the development meets the objectives and requirements of this policy.
- The water sensitive urban design response.
- Opportunities for water conservation and reuse that influence the use of water sensitive urban design.
- Whether the development incorporates works to improve the quality and quantity of stormwater exiting the site.
- Whether the proposal will significantly add to the stormwater discharge or adversely affect water quality entering the catchment.
- The level of ongoing management required to achieve and maintain stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality.
- The requirements and provisions of any relevant catchment management plan.
- The capability of the land to absorb and retain runoff.
- The significance of any remnant vegetation which may be affected in meeting the objectives of this schedule.

Table 1. Standard Treatment Systems - Deemed to Satisfy

This table presents five treatment options that are deemed to satisfy the ESO requirements*, and shows treatment size requirements based on the amount of impervious area created.
For example, if a development creates 75m² of impervious area, Option 1 is to install a 3kL tank connected to toilet together with a raingarden that needs to have a surface area of 2m² (as shown in the second row for 51-100m² increase in impervious area), if a raingarden only option is preferred (Option 5), the raingarden will need to be 4m².

<table>
<thead>
<tr>
<th>Net increase in impervious area (m²) from building and works proposed:</th>
<th>Option 1: 3kL tank connected to toilet AND raingarden treating tank overflow that has a surface area (m²) of:</th>
<th>Option 2: 3kL tank connected to toilet AND infiltration trench treating tank overflow that has a 0.45m width and a length (m) of:</th>
<th>Option 3: 3kL tank connected to toilet &amp; laundry AND raingarden treating tank overflow that has a surface area (m²) of:</th>
<th>Option 4: 3kL tank connected to toilet &amp; laundry AND infiltration trench treating tank overflow that has a surface area (m²) of:</th>
<th>Option 5: Raingarden that has a surface area (m²) of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 - 50</td>
<td>1</td>
<td>2</td>
<td>No raingarden required. Tank is required</td>
<td>No infiltration trench required. Tank is required</td>
<td>2</td>
</tr>
<tr>
<td>51 - 100</td>
<td>2</td>
<td>7</td>
<td>1</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>101 - 150</td>
<td>3</td>
<td>15</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>151 - 200</td>
<td>4</td>
<td>20</td>
<td>2</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>201 - 250</td>
<td>6</td>
<td>29</td>
<td>3</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>251 - 300</td>
<td>8</td>
<td>38</td>
<td>4</td>
<td>14</td>
<td>12</td>
</tr>
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<td>301 - 350</td>
<td>10</td>
<td>48</td>
<td>5</td>
<td>22</td>
<td>14</td>
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<tr>
<td>351 - 400</td>
<td>12</td>
<td>58</td>
<td>6</td>
<td>34</td>
<td>16</td>
</tr>
<tr>
<td>401 - 450</td>
<td>14</td>
<td>66</td>
<td>8</td>
<td>42</td>
<td>18</td>
</tr>
</tbody>
</table>

Note: *All tank options (1-4) require any first flush diverter installed to discharge to land/garden or raingarden (i.e. not to be connected to the drainage system).*
**SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as **SLO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

**Landscape character and objectives**

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.

- Construct a fence if specified in the schedule to this overlay.

- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for: A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>A rainwater tank.</td>
<td>The buildings and works must be associated with a dwelling.</td>
</tr>
<tr>
<td>Table of exemptions</td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td><strong>The requirement to obtain a permit does not apply to:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Emergency works</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the <em>Forests Act 1958</em>; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the <em>Country Fire Authority Act 1958</em>.</td>
</tr>
<tr>
<td></td>
<td>- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <em>Electricity Safety Act 1998</em>;</td>
</tr>
<tr>
<td></td>
<td>- minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <em>Road Management Act 2004</em>.</td>
</tr>
</tbody>
</table>

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

| Geothermal energy exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the *Geothermal Energy Resources Act 2005*.  |
| Geothermal energy exploration and extraction |  |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.  |
| Land management or directions notice | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.  |
| Land use conditions | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.  |
| Mineral exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:  |
| | - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or  |
| | - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.  |
The requirement to obtain a permit does not apply to:

**Note:** Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>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. 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.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>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 Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is</td>
</tr>
<tr>
<td></td>
<td>- bracken (Pteridium esculentum); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td>Road safety</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</td>
</tr>
<tr>
<td></td>
<td>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeaming and bulk sampling activities.</td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.</td>
</tr>
<tr>
<td>Surveying</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1 to SLO21.

YARRA RANGES SIGNIFICANT LANDSCAPES

1.0

Statement of nature and key elements of landscape

The attractive rural landscapes of the Shire are major features which distinguish Yarra Ranges from other areas. Their protection is fundamental to retaining the Shire’s unique character and appeal for residents, visitors and new businesses.

The significant landscapes of the Shire range from the spectacular mountain scenery in the east to the expansive rural plains of the Yarra Valley with its majestic mountain backdrop. They also include the slopes and enclosed valleys of the Dandenong Ranges where a harmonious balance of forest, farmland and small townships has generally been achieved.

Many of the identified landscapes have been significantly modified by human activity and, in many cases, the presence of pasture areas, intensively cultivated croplands and rural farm buildings form integral elements of the landscape. However, careful management of future development in these areas is required to ensure that the balance of natural and man made landscape elements is retained.

The Municipal Strategic Statement recognises landscape units that have been identified by the National Trust or are of local significance and which require specific protection. A description of the key elements of each of these landscapes is included in the list of significant landscapes at Clause 5.0 of this schedule.

2.0

Landscape character objective to be achieved

Protect and enhance the environmental, scenic, visual, cultural and scientific values of the significant landscapes which have been identified in the Shire.

Conserve the flora and fauna and associated ecological processes that contribute to the significance of the identified landscapes.

Ensure that any new development is located and designed to avoid inappropriate visual intrusion or other detrimental effects on the key characteristics of the identified landscapes.

Protect the historic and cultural importance of the Puffing Billy Railway Line and the scenic corridor through which it passes.

3.0

Permit requirement

Buildings and works

A permit is not required to construct a building or construct or carry out works, if a permit is not required under the provisions of the applicable zone.

Vegetation

A permit is required to remove, destroy or lop any vegetation (whether exotic or native). This does not apply if a permit is not required under the schedule to Clause 51.03.

4.0

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Alternative location options and identification of the optimum siting location.
- Whether the proposed siting and design of the building or works will:
  - Maintain the character and integrity of important viewlines.
- Be able to be integrated with the topography and landscape features of the area.
- Be of a form that does not dominate a ridgeline or skyline.
- Require the minimum soil disturbance, excavation and risk of erosion.
- Ensure a driveway access that is unobtrusive, with the length of access driveways minimised where possible.
- Provide infrastructure and services such as drainage, water, electricity and reticulated sewerage that are unobtrusive and sensitive to the natural environment.
- Retain significant vegetation, including mature exotic vegetation that contributes to the landscape character of the area, with no significant vegetation being removed solely for the purpose of providing a view.
- Use subdued colours and non-reflective materials on external surfaces that complement the surrounding landscape.
- Provide landscaping to minimise the visual impact of buildings, structures and works on the immediate locality and on the area generally as it is viewed from a distance, and include vegetation characteristic of the area in any replanting.

The views of the National Trust of Australia (Victoria) if the land is within a ‘classified’ National Trust Landscape. The following landscapes are ‘classified’ by the National Trust:
- SLO2 Cotswold Valley
- SLO3 Donna Buang Range
- SLO4 Upper Yarra River & Environs
- SLO5 Maroondah Highway - Black Spur
- SLO7 O’Shannassy Catchment
- SLO10 Sherbrooke Forest
- SLO11 Silvan Agricultural Area
- SLO13 The Patch
- SLO14 Warramate Hills
- SLO15 Western Face – Dandenong Ranges
- SLO16 Yellingbo Creeks
- SLO21 Puffing Billy Railway Scenic Corridor
- Within 50 metres of either bank of the Sassafras and Perrins Creek

**Puffing Billy Railway Scenic Corridor**

In addition to the decision guidelines outlined above, if the land is within the Puffing Billy Railway Scenic Corridor (designated as SLO21), the responsible authority must also have regard to:

- Whether the location, bulk and appearance of any proposed building or works will adversely affect the character or appearance of the corridor.
- Whether appropriate landscape treatments are proposed for buildings or works in locations that are visually exposed to the railway line.
- The impact of any use or development on the quality and character of important viewlines and panoramas from the railway line.
Whether appropriate measures are proposed to retain and enhance the landscape character and quality of the corridor and, in particular, retain remnant vegetation and require landscaping predominantly with indigenous species.

Any potential adverse physical or visual impact on the amenity of the corridor.

The comments of the Emerald Tourist Railway Board if the construction or carrying out of buildings or works is likely to have an immediate and adverse impact on the visual amenity of the Puffing Billy Tourist Railway.

### List of significant landscapes

The following is a description of the significant landscapes within the Yarra Ranges Shire, that are covered by the Significant Landscape Overlay:

<table>
<thead>
<tr>
<th>Slo no &amp; title</th>
<th>Key elements of significant landscape</th>
</tr>
</thead>
</table>
| SLO1 Bickleigh Vale Village     | This small area of low density housing in Mooroolbark was created by the noted landscape designer, the late Edna Walling. It is recognised as one of the finest examples of a major work by Walling.  
                                 | The main feature of the landscape is the way in which the houses have been integrated with the natural environment. The appearance of the area is dominated by the large gardens comprising of a mixture of mature exotic species and indigenous vegetation.  
                                 | Access into the centre of the “village” is via Bickleigh Vale Road which is a narrow unsealed road containing dense roadside vegetation that reinforces the predominantly rural character of the area.  
                                 | The maintenance of the existing landscape values would be threatened by further subdivision and intensification of existing housing development and the failure to maintain the established garden landscape themes. |
| SLO2 Cotswold Valley            | This landscape comprises an enclosed valley which forms part of the headwaters of the Monbulk Creek. It provides a remarkable visual diversity within a very small-scale landscape with steeply sloping pasture and cultivated areas fringed by remnants of Mountain Ash forest and Messmate/Peppermint woodlands with dense pockets of indigenous vegetation along stream lines.  
                                 | Buildings are not a significant feature of the landscape with most being small scale structures associated with rural residential and farming activities.  
                                 | This landscape area is visually prominent from the Belgrave Gembrook Road which is a major tourist route through the Dandenong Ranges. The scenic qualities of the Cotswold Valley make an important contribution to the image of the Dandenong Ranges as an attractive combination of natural and man made landscape elements.  
                                 | The retention of existing pasture and cultivated areas and protection of pockets of remnant vegetation will ensure the maintenance of the established landscape. Any new development in the area should be designed to be unobtrusive especially from the main roads through the area. |
| SLO3 Donna Buang Range          | The Donna Buang Range is one of the major landforms in the Shire. It provides a mountainous backdrop to many of the Shire’s best known rural vistas.  
                                 | The identified landscape area generally covers the forested western and southern slopes of the range. The dense forest on the southern slopes of the range is a dominant visual feature of the upper Yarra Valley east of Yarra Junction.  
<pre><code>                             | The forested areas are also recognised as being of conservation significance as a major habitat for the native plants and animals. |
</code></pre>
<table>
<thead>
<tr>
<th>Slo no &amp; title</th>
<th>Key elements of significant landscape</th>
</tr>
</thead>
<tbody>
<tr>
<td>Most of this area is in public ownership and there are few visual intrusions into the expanse of the forest cover. The area does include some isolated residential development as well as limited quarrying and forestry operations.</td>
<td></td>
</tr>
<tr>
<td>There is little scope for major development due to the steep slopes and relative inaccessibility of most of the area.</td>
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</tr>
<tr>
<td>The current landscape values of the area will require the maintenance of land management practices which protect the existing consistent forest cover.</td>
<td></td>
</tr>
<tr>
<td>The Upper Yarra River and Environs landscape extends from the broad flood plains south of Yarra Glen and Healesville to the confined valley at the base of the Donna Buang Range near Warburton. The landscape also includes the upper reaches of the Yarra River east of Warburton and the forested valleys immediately upstream of the Upper Yarra Reservoir.</td>
<td></td>
</tr>
<tr>
<td>The flood plain areas are generally cleared and used for broadscale grazing and have a broad open rural character which is dominated by the backdrop of mountains to the north and east. The flood plain contains numerous billabongs and other wetland features although many have been degraded by past clearing and farming practices.</td>
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<tr>
<td>The landscape area within this site generally excludes the townships.</td>
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<tr>
<td>The upper sections of the landscape east of Warburton include extensive areas of remnant vegetation with pockets of cleared farming land on the narrow river flats.</td>
<td></td>
</tr>
<tr>
<td>Much of this landscape is subject to flooding and is therefore unlikely to be subject to major development pressures. However, the open landscape character of the area makes it susceptible to visual intrusion from inappropriate development. The protection and enhancement of remnant vegetation and wetland features along the river are necessary to ensure the long term retention of the landscape values of this area.</td>
<td></td>
</tr>
<tr>
<td>The mountainous and forested areas upstream of the Upper Yarra Reservoir form part of the extensive water catchment for the reservoir which is closed to public access and unsuitable for any form of development.</td>
<td></td>
</tr>
<tr>
<td>The Black Spur landscape consists of many kilometres of winding road along a section of the Maroondah Highway north east of Healesville. The road is an important tourist route and is one of the major gateways to the Shire.</td>
<td></td>
</tr>
<tr>
<td>It provides a significant visual experience, derived from driving through a magnificent forest including sections of tall Mountain Ash forest which has mostly regenerated from the 1939 bushfires.</td>
<td></td>
</tr>
<tr>
<td>The area is within the water catchment for the Maroondah Reservoir and is unlikely to be subject to any development pressures.</td>
<td></td>
</tr>
<tr>
<td>This landscape applies to the steep north facing slopes of the Dandenong Ranges. Although much of this area is in private ownership substantial areas of remnant vegetation have been retained.</td>
<td></td>
</tr>
<tr>
<td>The intrusion of low density residential development has modified its character sufficiently to require consideration of this area as a distinctly separate unit from the western slopes of the Range. Despite this development, the appearance of continuous forest cover is largely maintained when the area is viewed from a distance.</td>
<td></td>
</tr>
<tr>
<td>Sections of this area have been extensively subdivided in the past although it is generally unsuitable for further development due to steep slopes and high fire hazard.</td>
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</tr>
<tr>
<td>Slo no &amp; title</td>
<td>Key elements of significant landscape</td>
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<tr>
<td>SLO7</td>
<td>The densely forested catchment of the O'Shannassy River is located on the south eastern slopes of the Donna Buang Range. The forest communities within this area are particularly significant because they have never been logged and were largely unaffected by the 1939 bushfires which burnt out extensive areas of similar habitat. Consequently these communities provide wildlife habitat conditions which are uncommon and are considered to be of national botanical and zoological significance. The area is part of an extensive, linked system of water catchments and is unlikely to be subject to any development pressures.</td>
</tr>
<tr>
<td>SLO8</td>
<td>The Macclesfield swamps are significant local features of the rural landscape in the Macclesfield-Yellingbo area. The identified landscape comprises three distinct wetland sites. These three sites include remnants of the original wetland habitats which existed in the area east of the Dandenong Ranges but have mostly been drained and cleared for grazing purposes. These remnant wetland areas provide important wildlife habitats and include areas which form part of the only remaining habitat of the endangered Helmeted Honeyeater. Development within and near these wetland areas will need to be carefully managed to avoid further deterioration through loss of vegetation, increased human activity and changes to drainage conditions.</td>
</tr>
<tr>
<td>SLO9</td>
<td>This area comprises the cluster of small townships located in the main central ridge of the Dandenong Range. The landscape of this area is characterised by a unique combination of low density residential areas set amidst many large and mature gardens of exotic plants, pockets of rural land and remnants of the original Mountain Ash forests and fern gullies. The area includes many panoramic viewing points with vistas to the ranges to the east and across the Melbourne metropolitan area to the west. The townships within the area comprise only small commercial centres which have generally retained a &quot;village&quot; character. The Dandenong Ranges are an important visual, environmental and recreational resource for not only the local community, but for Melbourne and the State in general. The area is a major focus for tourist activities and its appearance is important in defining the overall image of the Dandenong Ranges as an attractive visitor destination. The protection of the diverse landscape elements of this area would be compromised by further intensification of residential development, the spread of commercial land uses outside established town centres and the development of inappropriate commercial development which does not reflect the established character of the townships. Effective management of the substantial exotic and native vegetation will also be required to ensure the ongoing protection of the unique character of the area.</td>
</tr>
<tr>
<td>SLO10</td>
<td>Sherbrooke Forest comprises a major intact remnant of the original tall mountain forests of the Dandenong Ranges. The restricted distribution of Mountain Ash in the Dandenong Ranges and the occurrence of some relatively inaccessible and undisturbed fern gullies make this area of high botanical significance, whilst also providing an important wildlife habitat.</td>
</tr>
<tr>
<td>Slo no &amp; title</td>
<td>Key elements of significant landscape</td>
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<tr>
<td>---------------</td>
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<tr>
<td>SLO11</td>
<td>The Silvan Agricultural area covers an extensive area of rolling foothills east of the main ridge of the Dandenong Ranges. The extent of the area is largely defined by the presence of deep red soils which have traditionally supported a wide range of intensive horticultural practices including fruit and berry crops and wholesale nursery production. The patchwork of cultivated farmland and pockets of dense vegetation, framed by the surrounding ranges, is a major landscape feature of the Shire. Apart from the area’s high scenic value, the area represents one of the few remaining intensively farmed agricultural areas relatively close to metropolitan Melbourne. It continues to be an important economic resource for the region. The maintenance of intensive farming activities is essential in retaining the established landscape character of the area. Changes in production techniques have increased the number of horticultural structures such as igloos and glasshouses and future development will require sensitive siting and design to minimise visual impacts.</td>
</tr>
<tr>
<td>SLO12</td>
<td>The Silvan-Olinda forest covers an extensive area of native forest of the north eastern slopes and foothills of the Dandenong Ranges. The area includes Messmate and Peppermint forest communities which are typical of the drier and lower slopes of the ranges. Much of the forest area is remote from the main centres of residential development and tourist activity and is largely undisturbed. It is therefore of considerable conservation value as wildlife habitat. The Silvan Reservoir which is located within this area, is a key feature of many views into the area. It characterises this landscape, and differentiates it from other forested areas. The land is mostly in public ownership and is unlikely to be subject to major development pressures although the retention of the existing vegetation cover will be necessary to ensure the protection of its scenic and conservation values.</td>
</tr>
<tr>
<td>SLO13</td>
<td>The Patch landscape is situated within a sheltered valley on the south-eastern side of the Dandenong Ranges. It is a predominantly rural landscape in a picturesque setting of cultivated croplands and rolling pastures framed by the adjoining forested slopes of the Dandenong Ranges. The area extends eastward to include undulating farmland that retains a strong rural character in an area which has largely been developed for more intensive residential and horticultural activities. Much of the landscape is visible from viewing points in the Dandenong Ranges and it is a prominent rural landscape feature of the area. Changes in production techniques have increased the number of horticultural structures such as igloos and glasshouses. Future development will require sensitive siting and design to minimise visual impacts.</td>
</tr>
<tr>
<td>SLO14</td>
<td>The Warramate Hills comprise an isolated range of forested hills which are flanked by the broad flood plain of the Yarra River. The hills form a prominent landscape feature which is conspicuous from many parts of the Yarra Valley.</td>
</tr>
<tr>
<td>Slo no &amp; title</td>
<td>Key elements of significant landscape</td>
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</tbody>
</table>
| **Much of the forested hillsides were previously cleared for grazing but have been allowed to regenerate. They now form part of an important area which is visually, botanically and zoologically significant, as it contains a substantial block of native vegetation within a largely cleared pastoral area.**

Most of this land is included in the Yarraloch Conservation Reserve although margins of the hills include some cleared farm land and pockets of rural residential development.

Further intrusion of additional rural residential development and loss of remnant vegetation would detract from the conservation and scenic value of the area.

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| SLO15 | The western face of the Dandenong Ranges extends in a broad band from Montrose in the north to Ferntree Gully in the south.

The western face is visible from many parts of the Melbourne metropolitan area and beyond and dominates the skyline of Melbourne’s outer eastern suburbs.

The western face is characterised by very steep forested slopes which include many areas of dry woodland on the exposed aspects. It contains an extensive area of intact native bushland which provides an important habitat for rare plant and animal communities and now forms part of the Dandenong Ranges National Park.

Large areas of the western face were previously subdivided for residential development but remained undeveloped due to severe physical and servicing constraints. The area is highly susceptible to bush fires and extensive areas of subdivided land have been brought back into public ownership.

Some of the lower slopes in the Montrose area have been developed with houses although the appearance of a continuous forest cover has generally been retained.

Further residential development on the lower slopes would detract from the important scenic value of the western face unless the existing native vegetation cover is maintained. |

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| SLO16 | The Yellingbo Creeks landscape includes a series of linear reserves of riparian vegetation of the streamlines of parts of the Woori Yallock, Cockatoo and Sheep Station Creeks.

The riparian vegetation around the Yellingbo Creek supports a range of plant communities and wildlife habitats in an area where there has been broadscale clearing for agriculture.

The vegetation in this area is of national significance as it comprises much of the remaining habitat of the endangered Helmeted Honeyeater.

The linear nature of these areas leaves them vulnerable to disturbance from inappropriate land use and development on adjoining land.

Any future development should avoid the introduction of additional human activity into the area and should be designed to prevent alterations to the drainage patterns.

Retention and continued rehabilitation of the native vegetation in the area will also be required to maintain the landscape and conservation values of the area. |

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| SLO17 | The Little Yarra Valley comprises a broad pastoral landscape which is enclosed by forested hills which narrows into an area of tall mountain forests.

The northern end of the Valley is characterised by undulating farmland with an attractive open woodland of remnant Stringybark trees with pockets of remnant bushland. The more sheltered upper reaches of the valley include areas of orchard production. A number of small rural townships are scattered along the valley.

The forested areas of the valley and surrounding hills sustain a range of plant communities and wildlife habitats. Sections of these forest areas are also important for both timber harvesting and recreational activities. |
The long term retention of the rural character of the Upper Yarra Valley will require the maintenance of agricultural activities in the cleared areas and careful management to ensure that timber harvesting operations are unobtrusive and other development is designed to minimise visual impacts.

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>SLO18 Lysterfield</td>
<td>The Lysterfield Forest is located on the low hills to the south of the main ridge of the Dandenong Ranges. Most of the forest is located within the catchment of Lysterfield Lake, a former water supply reservoir. The forest forms part of a large expanse of remnant bushland which, although fragmented in places, provides an important ecological link with the forest areas in the Dandenong Ranges. The open Stringybark forest is of a different character to the tall mountain forests of the moister aspects in the Dandenongs and it provides an attractive contrast to the surrounding cleared farming land and nearby suburban development. Most of the forest area is reserved for conservation purposes, although further subdivision and fragmentation of bushland remnants on the margins of the area would detract from its significance.</td>
</tr>
<tr>
<td>Forest Area</td>
<td></td>
</tr>
<tr>
<td>SLO19 Lysterfield</td>
<td>Lyserfield Valley is a mostly attractive pastoral landscape which forms part of a “green wedge” between the suburban areas of Rowville and Dandenong North, and the more urbanised Ferntree Gully-Belgrave ridge of the Dandenongs. The landscape is centred on the enclosed valley of the Monbulk Creek which contains open pasture with cultivated croplands on sections of the creek flats. The attractive rural character of the valley forms an important visual transition between the urban areas to the west and the more elevated and forested slopes of the Dandenongs. The unique character of the landscape would be sensitive to any further fragmentation or additional development.</td>
</tr>
<tr>
<td>Valley</td>
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<tr>
<td>SLO20 Menzies Creek</td>
<td>The Menzies Creek Valley is located in the eastern foothills of the Dandenong Ranges. It comprises steeply sloping land with lush pasture and pockets of dense vegetation along stream lines. The valley is highly visible from the Belgrave-Gembrook Road and the Puffing Billy Railway Line and it is recognised as one of the most scenic tourist routes in the Dandenong Ranges. Much of the area has been cleared and limited residential development has been established. Additional development would require sensitive siting and design to avoid significant intrusion into the predominantly rural landscape.</td>
</tr>
<tr>
<td>Valley</td>
<td></td>
</tr>
<tr>
<td>SLO21 Puffing Billy</td>
<td>The Puffing Billy Railway is a major tourist attraction and feature of the Dandenong Ranges. The railway is operated to provide a rural experience for visitors, based on a style and theme reminiscent of the 1930s. The Puffing Billy Railway Scenic Corridor includes those rural landscapes which are visible from the Puffing Billy Railway and are a feature of the railway’s tourist appeal. The Corridor contains built and natural features, including historic railway stations and other buildings, bridges, residential development and remnant vegetation, both native and exotic. It is important that the cultural and scenic significance of the Corridor and viewlines from the railway are protected by ensuring that future use and development along the Corridor is appropriately sited and integrated with the landscape. It is also important to recognise the significant contribution that remnant vegetation in the Corridor plays in defining the character of the Corridor.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Scenic Corridor</td>
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</tbody>
</table>

YARRA RANGES PLANNING SCHEME

Page 531 of 1170
SCHEDULE 22 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SL.O22.

FOOTHILLS AND RURAL TOWNSHIPS

Yarra Ranges is committed to preserving the unique areas of the municipality identified in Clause 14.01-2 including the Dandenong Ranges and Upper Yarra Valley.

The Upper Yarra and Dandenong Ranges Authority established under the Upper Yarra Valley and Dandenong Ranges Authority Act 1976 prepared the Regional Strategy Plan, enabling increased protection for the special features and character of the region. The Regional Strategy Plan historically provided the basis for protection of the unique character of much of the residential area in the Shire. This Schedule has been further informed by work completed in 2002 in the Shire of Yarra Ranges Neighbourhood Character Study. The purpose of the control is to preserve and enhance these special residential areas.

1.0

Statement of nature and key elements of landscape

The landscape significance of residential areas in the Shire is attributed to the quality of the environment which includes the vegetation and its relationship to the broader landscapes which contribute to a ‘sense of place’. Many of these landscapes have National Trust classification including: the Western Face of the Dandenong Ranges, Sherbrooke Forest, Upper Yarra River and Environs, Silvan Agricultural Area and the Puffing Billy Railway Scenic Corridor.

Vegetation and buildings occurring in streamside areas are of particular significance as they play a role in the broader catchment.

Dandenong Ranges Foothills

**Belgrave, Upwey and Tecoma** - the treed slopes of the Dandenong Ranges have iconic significance for Melbourne, and the relationship between buildings and the surrounding landscape contributes significantly to the character of the area. Extensive vegetation in this area complements the conservation and habitat values of nearby bushland areas, many of which are included within the Dandenong Ranges National Park.

In the hillside areas of Belgrave, Upwey and Tecoma, houses and their grounds stand in a forested hills landscape. Dwellings are dominated by mostly native forest vegetation, which includes tall canopy trees and some understorey.

Buildings maintain similar orientation and setbacks to adjoining properties and integrate well with the topography and the streetscape. There is usually little or no formal delineation of front property boundaries.

Planting of native vegetation and where possible vegetation indigenous to the environs is encouraged in order to complement and enhance the visual and environmental qualities of the area.

**Coldstream**

A small settlement, Coldstream is a pocket of suburban style dwellings surrounded by a broad rural agricultural area. Developed over a 40 year period, scattered large exotic and native trees provide canopy, and a sense of connection to the landscape of the surrounding Yarra Valley.

**Healesville** is characterised by a strong ‘country town’ atmosphere, arising from varying block sizes, winding roads and well treed private gardens and public areas. These landscapes integrate well with the surrounding backdrop of mountains, wooded hills and farmland giving a sense of spaciousness and rural ambience.

Site coverage and hard surfaces are minimised providing room for vegetation and a sense of openness to be retained. There is often an informal rural character with either open style fencing or an absence of front fencing.
Montrose and Mt Evelyn – these foothill areas at the base of the Dandenong Ranges contain houses which although occurring at more suburban densities are well integrated into an environmental setting. Some strong remnants of dry forest remain in the landscape and private gardens are spacious with a mix of native and exotic vegetation.

Lilydale – is a mix of established and newer residential areas with both native and exotic plants and a sense of openness. Many areas are steep and the vegetation in these areas creates a prominent landscape feature in its own right as it can be viewed from much of the surrounding areas. The well treed areas provide the foreground to the broader surrounding landscape of low hills and undulating pastoral landscapes to the south and north and the heavily wooded Dandenong Ranges in the east.

The lower density areas contain blocks of irregular shape and size; gardens are extensively treed and have farm style fencing. Many houses are low, sprawling ranch or homestead style. A small area in the southern part of Lilydale is developed on the hillside among mature mostly native trees. This area has a semi-forested quality unique in Lilydale.

Monbulk sits below forested hills, with generous blocks and low level gardens. Remnant dry forest and other large canopy trees along with bush gardens, strengthen its landscape character. Monbulk straddles the ridge between two creeks and provides views to the Silvan Agricultural Area and The Patch classified landscapes.

Mooroolbark – this area includes the Bickleigh Vale Village subdivision and gardens designed by Edna Walling which are classified by the National Trust. Bickleigh Vale is recognised as one of the finest examples of a major landscape created by Walling. The prominent landscape feature is the way in which the houses have been integrated into the heavily vegetated environment. The subsequent development of the neighbouring areas adopted a similar informal garden character. The neighbourhood has strong garden landscapes sustained by profuse informal plantings, open frontages, semi native gardens and wide nature strips.

Silvan

Silvan is located on the eastern side of the Dandenong Ranges overlooking the Silvan Agricultural Area (famous for its horticultural industry). The handful of dwellings in Silvan is complemented by mature trees and bush gardens which blend in and strengthen the connection with surrounding the rural landscape.

Seville, Seville East and Woori Yallock – are characterised by a strong ‘country town’ atmosphere, arising from varying block sizes, winding roads, absence of footpaths and some well treed areas. These towns integrate well in the surrounding pastoral landscapes including the Warramate Hills and Upper Yarra River and Environs which include belts of trees and the wooded slopes of neighbouring hills.

Yarra Glen

Residential development in Yarra Glen spans from the 1880’s to recent development. Residential areas contain a mix of mature trees both exotic and native which occur throughout the residential areas. These trees and the town’s location in the Yarra Valley with a backdrop of the Christmas Hills contribute to the country town atmosphere.

Wandin North is located in an undulating rural landscape with a village like character attributed to a mixture of houses and block sizes, low level gardens which provide views to its well treed setting in the Yarra Valley.

Warburton is located in the cleft between steep hillsides. The town’s residential areas spread up the hillsides (Donna Buang Range) and along river flats, sometimes in open pastoral settings, sometimes in forested gullies and sometimes in conventional residential settings with varied lot sizes. The dominance of landscape over the buildings and the association of the area with a cottage or chalet style of design are valued characteristics of this unique place.
Yarra Junction enjoys a spacious country town feel of buildings set into a wider landscape context of the Upper Yarra River and Environs. Large blocks and low level often exotic gardens sit in a landscape that includes rolling paddocks and treed hillsides rising up from the Yarra Valley.

Streamside areas - Vegetation and buildings in streamside areas play a significant role in the broader catchment and should address the principles of ecologically sustainable development for the Upper Yarra River Catchment.

The key elements of these landscapes are:

- A visual dominance of vegetation including large mature native and indigenous trees and garden planting of both native and exotic plants
- The majority of development sits within the landscape with minimal excavation and dwellings are partly obscured from view
- Hillsides appear to be covered with trees, even when developed with houses
- Vistas through development to hills, canopy trees and the surrounding landscape
- A general lack of front fencing.

Landscape character objective to be achieved

- To recognise and conserve the environmental and visual sensitivity of residential areas
- To maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation
- To ensure development is sensitive to the natural characteristics of the land including slope, terrain and any existing vegetation
- To ensure setbacks are generous, consistent with nearby dwellings and allow sufficient space for mature plantings
- To ensure site cover maintains the ambience and sense of spaciousness
- To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape
- To ensure that the health of existing trees is not jeopardised by new development
- To maintain an absence of front fences and informal rural character with either open style front fencing or an absence of front fencing
- To protect and preserve the riparian areas along waterways.

Permit requirement

Fences
A permit is required to construct a front fence.
This does not apply:

- if the fence is less than 1.2 metres in height or
- if the fence is more than 75% transparent.

Vegetation
A permit is required to remove, destroy or lop any indigenous vegetation or substantial tree. A substantial tree is defined as having a diameter at breast height (DBH) greater than 0.16 metres 1.3 m above the ground. (Equivalent to a circumference of 0.5 metres at breast height).
This does not apply:
- If the lopping of vegetation is undertaken to assist its regeneration or
- If the vegetation is dead or
- To the partial removal of branches directly overhanging dwellings, garages or outbuildings so that they are not overhanging or within 2 metres of the building or
- If the vegetation to be removed is within 2 metres of a building
- If the species appears in the Shire of Yarra Ranges Environmental Weed List - Clause 22.05.

**Buildings and Works**

A permit is not required to construct a building or carry out works provided all the following requirements are met:

- The height of any part of a building is no more than 7.5 metres above the natural surface of the ground directly below it
- The total building footprint does not occupy more than 30% of the site and the total hard surface area (impervious surfaces) does not exceed 50% of the site
- The buildings and works are at least 4 metres from the base of any substantial tree. Works may occur closer than 4 metres provided they do not alter the existing ground level or topography of the land
- The buildings and works are at least 10 metres from a designated stream
- The buildings and works are at least 10 metres from a designated open Melbourne Water drain.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider as appropriate:

- Whether the development satisfies the statement of key elements of the landscape and character objectives of this schedule
- The role of vegetation in contributing to the character and environmental significance of the area
- The impact of the proposal on views within the foothills areas and on more distant views across the city and suburbs to the foothills of the Dandenong Ranges
- The impact of the proposal on the rural character of the townships where development is more spacious and allows views through to the Yarra Valley and/ or the foothills
- If the buildings are of a height that is below the tree canopy level and are inconspicuous in the landscape. Aspects such as the height of surrounding development, the slope of the land and the impacts on views to and from adjacent viewpoints should be carefully considered
- The site coverage allows for the planting of canopy trees and other vegetation
- The buildings are dispersed to allow trees to be planted among them and any works will not impact on the health of any substantial tree
- The habitats for native fauna, including wildlife corridors will be protected, strengthened or created
- If the buildings or works will adversely impact on the natural environment of the adjacent watercourse
- If front fences are commonly provided in the street and the style of fence, including degree of transparency, height, materials and finishes.

**Reference Documents**

Shire of Yarra Ranges Environmental Weed List 2009 (Clause 22.05)
SCHEDULE 23 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO23**.

Yarra Ranges is committed to preserving the unique areas of the Shire identified in Clause 14.01-2 including the Dandenong Ranges and Upper Yarra Valley.

The Upper Yarra and Dandenong Ranges Authority established under the *Upper Yarra Valley and Dandenong Ranges Authority Act 1976* prepared the Regional Strategy Plan, enabling increased protection for the special features and character of the region. The Regional Strategy Plan historically provided the basis for protection of the unique character of many residential areas of the Shire. This Schedule, further informed by the Shire of Yarra Ranges Neighbourhood Character Study, seeks to preserve and enhance these special residential areas.

1.0 **Statement of nature and key elements of landscape**

The landscape significance of the following areas is attributed to the quality of environment, its setting and relationship to the broader landscapes some of which have National Trust classification. Classified landscapes in these areas include: The Silvan Agricultural Area and the Upper Yarra and Environs.

The visual effect of large trees both native and exotic makes a significant contribution to the neighbourhood character of these areas. All the following areas share varying sized blocks allowing development to integrate within its surrounding landscape and providing views between dwellings.

Vegetation and buildings in streamside areas play a significant role in the broader catchment and should address the principles of ecologically sustainable development for the Upper Yarra River Catchment.

**Chirnside Park**

Chirnside Park was originally a grazing area and is set against a rural backdrop of surrounding hills and paddocks. Housing was developed primarily in the 1970’s and as a result, many mature trees of both native and exotic species exist within its established gardens and contribute significantly to the character of the area.

**Healesville**

Healesville has a strong country town feeling with well treed private gardens and public areas. These landscapes integrate well with the surrounding backdrop of mountains, wooded hills and farmland.

**Kilsyth/Mooroolbark**

Residential development in these suburbs has occurred over a 60 year period resulting in a sense of openness and well established gardens. The mature trees which occur widely in these areas link them to the treed backdrop of the Dandenongs Ranges.

**Mt Evelyn** – is a foothill area where suburban development integrates into an environmental setting. Remnants of dry forest remain and other mature trees blend into the landscape backdrop of the Dandenong Ranges.

**Lilydale** – these residential areas are characterised by established or new/establishing gardens of both native and exotic plants. Large trees provide the backdrop to the surrounding landscape of low hills, undulating pastoral landscapes to the south and north and heavily wooded Dandenong Ranges in the east.

**Yarra Glen**

Residential development in Yarra Glen spans from the 1880’s to recent development. Residential areas contain a mix of mature trees both exotic and native which occur throughout the residential areas. These trees and the town’s location in the Yarra Valley with a backdrop of the Christmas Hills contribute to the country town atmosphere.
**Yarra Junction** enjoys a spacious country town feel of buildings set into a wider landscape of the Upper Yarra Valley. Large blocks and low level often exotic gardens with remnant native trees sit in a landscape that includes rolling paddocks and treed hillsides rising up from the valley.

The key elements of all these landscapes are:

- A visual dominance of vegetation, including large mature native and indigenous trees
- Limited building height in relation to tree canopy
- Vistas through development to hills, canopy trees and the surrounding rural landscapes.

**2.0 Landscape character objective to be achieved**

- To recognise and conserve the environmental and visual sensitivity of residential areas of the Dandenong Ranges foothills and the Yarra Valley.
- To ensure all development is sensitively designed and sited having regard to the natural physical features of the land, including slope, the presence of existing vegetation and view lines.
- To retain mature trees which make a significant contribution to the landscape character of the neighbourhood areas.
- To protect vegetation of significance, natural beauty, interest and importance.
- To protect and preserve the riparian areas along waterways.

**3.0 Permit requirement**

**Vegetation**

A permit is required to remove, destroy or lop any substantial tree. A substantial tree is defined as having a diameter at breast height (DBH) greater than 0.26 metres at 1.3 metres above the ground. (Equivalent to 0.8 metres circumference).

This does not apply:

- If the lopping of vegetation is undertaken to assist its regeneration or
- If the vegetation is dead or
- To the partial removal of branches directly overhanging dwellings, garages or outbuildings so that they are not overhanging or within 2 metres of the buildings or
- If the base of the tree to be removed is within 2 metres of a building or
- If the species appears in the Shire of YarraRanges Environmental Weed List - Clause 22.05.

**Buildings and Works**

A permit is not required to construct a building or carry out works provided the following requirements are met:

- The buildings and works are at least 10 metres from a designated stream
- The buildings and works are at least 10 metres from a designated open Melbourne Water drain.

**4.0 Decision guidelines**

Before deciding on an application, the responsible authority must consider as appropriate:

- Whether the proposal satisfies the statement of the key elements of the landscape and character objectives of this schedule
- Whether the removal of trees relates to a development proposal allowing the vegetation removal to be assessed in the context of development
Whether the removal of trees is necessary if no development is proposed

The extent to which the proposal maintains the dominant trees within the streetscapes and locality

If the removal of vegetation will adversely impact on the natural environment of the adjacent watercourse

The extent to which dominant trees remain within the streetscapes and locality.

Reference Documents

Shire of Yarra Ranges Environmental Weed List 2009 (Clause 22.05).
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>
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<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>
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<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>
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<tr>
<td>Subdivide land into 2 lots if:</td>
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<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>
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</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------</td>
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<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
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<tr>
<td>- The subdivision does not create a vacant lot.</td>
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<tr>
<td>- 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.</td>
<td></td>
</tr>
<tr>
<td>- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</td>
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<tr>
<td>- Externally alter a non-contributory building.</td>
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<tr>
<td>- External painting.</td>
<td></td>
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<tr>
<td>- Construct a fence.</td>
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<tr>
<td>- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</td>
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<tr>
<td>- Construct and install domestic services normal to a dwelling.</td>
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<tr>
<td>- Construct and install a non-domestic disabled access ramp.</td>
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<tr>
<td>- Construct a vehicle cross-over.</td>
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<tr>
<td>- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</td>
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<tr>
<td>- Construct a rainwater tank.</td>
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<tr>
<td>- Construct or display a sign.</td>
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<tr>
<td>- Lop a tree.</td>
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<tr>
<td>- Construct or install a solar energy system attached to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- Construct and install an electric vehicle charging station.</td>
<td></td>
</tr>
<tr>
<td>- 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.</td>
<td></td>
</tr>
</tbody>
</table>

### 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.
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.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy 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 permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO1</td>
<td>‘Yeringberg’ 801-812 Maroondah Highway, Yering</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H694</td>
<td>Yes</td>
<td>No</td>
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<td>HO2</td>
<td>Healesville Railway Station Complex 38 Healesville-Kinglake Road, Healesville</td>
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<td>-</td>
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<td>Yes Ref No H1567</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO3</td>
<td>Court House  Castella Street, Lilydale</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO4</td>
<td>‘The Towers’ 6-10 The Eyrie, Lilydale</td>
<td>-</td>
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<td>Yes Ref No H612</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO5</td>
<td>‘Burnham Beeches’ 1 Sherbrooke Road, Sherbrooke</td>
<td>-</td>
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<td>Yes Ref No H868</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO6</td>
<td>Horatio Jones House 14-16 Blackwood St, Tecoma</td>
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<td>Yes Ref No H957</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO7</td>
<td>Sanitarium Health Food Company &amp; Signs Publishing Company 51 Main Street, Warburton</td>
<td>-</td>
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<td>-</td>
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<td>Yes Ref No H619</td>
<td>Yes</td>
<td>No</td>
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<td>PS map ref</td>
<td>Heritage place</td>
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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 permitted?</td>
<td>Aboriginal heritage place?</td>
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<tr>
<td>HO8</td>
<td>Gulf Station and Prefabricated Timber House 1029 Melba Highway, Yarra Glen</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H384 and Ref No H2024</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO9</td>
<td>‘Lorna Doon’ Mt Dandenong Tourist Road, Sassafras</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO11</td>
<td>‘Rostrevor’ Mt Dandenong Tourist Road, Sassafras</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO12</td>
<td>‘Longacres’ 15 Range Road, Olinda</td>
<td>-</td>
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<td>-</td>
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<td>Yes Ref No H1876</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO13</td>
<td>Ebbels’ Homestead (‘Forest Lodge’) Olinda-Monbulk Road, Olinda</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO14</td>
<td>‘Kenloch’ Mt Dandenong Tourist Road, Olinda</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO15</td>
<td>‘Mernda Heights’ Old Coonara Road, Olinda</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO16</td>
<td>Alfred Nicholas Memorial Gardens Sherbrooke Road, Sherbrooke</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO17</td>
<td>Brick Houses Lysterfield Road, Lysterfield</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO18</td>
<td>‘Mawarra Gardens’ 6 Sherbrooke Road, Sherbrooke</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2300</td>
<td>Yes</td>
<td>No</td>
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<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 permitted?</td>
<td>Aboriginal heritage place?</td>
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<tr>
<td>HO19</td>
<td>'Baron of Beef' Sherbrooke Road, Sherbrooke</td>
<td>Yes</td>
<td>No</td>
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<td>'Pallants Hill' - George Tindale Gardens Sherbrooke Road / Braeside Avenue, Sherbrooke</td>
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<td>Yes</td>
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<td>'The Gables of Glenharrow' Glen Harrow Heights Road, Belgrave</td>
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<td>'Talisman' (Tom Robert’s former House &amp; Studio) Royle Avenue, Kallista</td>
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<td>'Forest Park’ Homestead and Stables Riley Road, Upwey</td>
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<td>Rail Bridge also known as Puffing Billy Railway Trestle Bridge Monbulk Creek, Belgrave-Gembrook Road, Belgrave and Selby</td>
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<td>Mechanics Institute, Free Library &amp; Athenaeum Theatre Castella Street, Lilydale</td>
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### YARRA RANGES PLANNING SCHEME

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<td>'The Briars’ Maroondah Highway, Mooroolbark</td>
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<td>‘Bickleigh Vale’, 5-27 Bickleigh Vale Road, 2-28 Bickleigh Vale Road, 112-142 Cardigan Road, 9-23 Pine Road, 80-106 Pembroke Road, 1-9 Edna Walling Lane and 2 Edna Walling Lane, Mooroolbark</td>
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<td>Coranderrk Aboriginal Cemetery, Barak Lane, Healesville</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO82</td>
<td>‘Cranbrooke Lodge’ Conference Centre, Westmount Road, Healesville</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO83</td>
<td>‘The Elms’ Slab Cottage, Tarrawarra Abbey, Tarrawarra</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO84</td>
<td>Former Mechanics Institute, 4 Church Street, Healesville</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO85</td>
<td>Former Superintendents House, Coranderrk Aboriginal Station Picaninny Lane, Healesville</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO86</td>
<td>Grand Hotel Bell Street, Yarra Glen</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO88</td>
<td>‘Luffra’ - former Healesville Bush Nursing Hospital Harker Street, Healesville</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO90</td>
<td>Trestle Railway Bridge over Yarra River Immediately west of Yarra Glen Station</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO92</td>
<td>Former Healesville Courthouse 42 Harker Street, Healesville</td>
<td>-</td>
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<td>Yes Ref No H1171</td>
<td>Yes</td>
<td>No</td>
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<td>HO93</td>
<td>Former National Bank building Bell Street, Yarra Glen</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Yes</td>
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<td>HO94</td>
<td>Cameo Cinema 1628 Burwood Highway, Belgrave</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO95</td>
<td>Gainsborough Store Warburton Highway, Warburton</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO96</td>
<td>Aboriginal canoe tree and land within 10 metres of the tree, ‘Mt Mary Vineyard’ 22-24 Coldstream West Road, Coldstream West</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO97</td>
<td>Victorian Style Polycromb Brick Homestead Bell Street, Yarra Glen</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO98</td>
<td>Steve Burns’ Cottage</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO100</td>
<td>Big Culvert</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td></td>
<td>Marysville-Woods Point Road, Marysville</td>
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<td>HO101</td>
<td>Emberson War Memorial</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Monbulk Road, Kallista</td>
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<td>HO102</td>
<td>Myrtle Creek Bridge</td>
<td>-</td>
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<td>Yes Ref No H1855</td>
<td>No</td>
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<td>Over Myrtle Creek, Don Road, Don Valley and Healesville</td>
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<td>MacKenzie Cottage, Healesville Sanctuary</td>
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<td>Yes Ref No H1767</td>
<td>Yes</td>
<td>No</td>
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<td>25 Badger Creek Road, Badger Creek</td>
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<td>HO104</td>
<td>Old Federal Mill</td>
<td>-</td>
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<td>-</td>
<td>Yes Ref No H1822</td>
<td>Yes</td>
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<td>Big Creek Road, McMahons Creek</td>
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<td>HO106</td>
<td>Richards and Sons Logging Winch Site</td>
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<td>-</td>
<td>Yes Ref No H1739</td>
<td>No</td>
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<td>Road 15, McMahons Creek</td>
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<td>HO107</td>
<td>Cherry Trees, Main Street</td>
<td>No</td>
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<td>HO108</td>
<td>Ardoch House, Belgrave-Monbulk Road, Belgrave</td>
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<td>HO109</td>
<td>Belgrave Lake Park, Belgrave – including dam and old kiosk</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>Lovers Walk, Belgrave Railway &amp; Mt Morton Walking Track, Belgrave</td>
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<td>“Lurnea”, Monbulk Road</td>
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<td>Pages Bakery, 1708-1710 Main Street Belgrave</td>
<td>No</td>
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<td>HO114</td>
<td>“Whitehall”, Gully Crescent Belgrave</td>
<td>No</td>
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<td>HO115</td>
<td>Collis House, Colby Drive Belgrave Heights</td>
<td>No</td>
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<td>Yes</td>
<td>No</td>
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<td>HO116</td>
<td>Hardware Shop (Former), Colby Drive Belgrave Heights</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>HO117</td>
<td>Milk Bar (Former), Colby Drive Belgrave Heights</td>
<td>No</td>
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<td>HO118</td>
<td>Mount Heatherlea House, Park Drive Belgrave Heights</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO119</td>
<td>Birds Land, McNichol Rd &amp; Mt Morton Rd Belgrave Heights</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Yes</td>
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<td>HO120</td>
<td>Progress Hall and Associated Buildings Colby Drive, Belgrave Heights</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO121</td>
<td>Coronation Planting, Colby Drive &amp; Belgrave Hallam Roads Belgrave South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO122</td>
<td>Mt Morton Reserve, Chaundy Road Belgrave South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO123</td>
<td>Potters Cottage, Kerr’s Lane Belgrave South</td>
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<td>HO125</td>
<td>Ezard's Mill Belgrave South</td>
<td>No</td>
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<td>HO126</td>
<td>Britannia Creek Tramway Sawmill Site 2 (See also Yelland No. 2 Mill Site), Britannia Creek</td>
<td>No</td>
<td>No</td>
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<td>HO127</td>
<td>Cuming-Smith &amp; Co Wood Distillation Works, Britannia Creek</td>
<td>No</td>
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<td>HO128</td>
<td>Yellands Seasoning Kilns Britannia Creek</td>
<td>No</td>
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<td>HO129</td>
<td>Britannia Creek Weir and Falls, Britannia Creek</td>
<td>No</td>
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<td>Yes</td>
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<td>HO130</td>
<td>Cumberland Scenic Reserve, Cambarville</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO132</td>
<td>The Big Culvert Cumberland Scenic Reserve, Cambarville</td>
<td>No</td>
<td>Yes</td>
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<td>HO133</td>
<td>Cumberland Falls Mine, Cumberland Scenic Reserve</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO134</td>
<td>Cambarville Sawmilling Co. Mill, Cambarville</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO135</td>
<td>Hargetes Hotel, Cambarville</td>
<td>No</td>
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<td>HO136</td>
<td>Chirnside Park Country Club (Oak Tree only) Kingswood Drive</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO137</td>
<td>Chum Creek Primary School Chum Creek Road</td>
<td>No</td>
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<td>HO138</td>
<td>Yarra Grange Coldstream</td>
<td>No</td>
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<td>HO139</td>
<td>Eyton on Yarra, Healesville</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO140</td>
<td>Mount Donna Buang-Bridle Tracks &amp; Road Warburton</td>
<td>No</td>
<td>No</td>
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<td>HO142</td>
<td>Ferntree Gully National Park Kiosk, Upper Ferntree Gully</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO143</td>
<td>Ferntree Gully National Park Sanctuary and Aviary, Upper Ferntree Gully</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO144</td>
<td>One Tree Hill Lookout -One Tree Hill Tremont</td>
<td>No</td>
<td>No</td>
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<td>HO145</td>
<td>Ferny Creek Recreation Reserve: Log Cabin, Clarkmont Road, Ferny Creek</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO146</td>
<td>Ferny Creek Tea Rooms, (bush pole structure) One Tree Hill Rd, Ferny Creek</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO147</td>
<td>Avenue of Honour and Index Memorial Anzac Avenue, Ferny Creek</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO148</td>
<td>Hogan and Kirkpatrick Mill Gembrook</td>
<td>No</td>
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<td>Russell's Mill Gembrook</td>
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<td>Tin Mine Fire Track (off Beenak Road), Gembrook</td>
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<td>Saxton Tree, Gilderoy</td>
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<td>Willow Lake Holiday Camp Parkinson Road, Gladysdale</td>
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<td>St Brigid's Catholic Church, Presbytery, Covent &amp; School, High Street</td>
<td>No</td>
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<td>Coranderrk Bushland Reserve: Aboriginal Station Track, Water Race, and Sawmill Site, Healesville</td>
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<td>Madigans Cottage</td>
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<td>Chestnut Hill</td>
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<td>Dunbar Cottage and Dairy Falls Road, Kalorama</td>
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<td>Cashin's House(former) Castella Street, Lilydale</td>
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<td>Cave Hill Limestone Quarry Melba Avenue and 4 Melba Avenue, Lilydale</td>
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<td>Former Bookmakers Shop/Residence Main Street, Lilydale</td>
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<td>Church of England Boys Training Farm Lysterfield Reservoir</td>
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<td>Macclesfield Primary School Macclesfield- Yellingbo Road, Lysterfield</td>
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<td>Reids Mill and Tramline&lt;br&gt;Powelltown</td>
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**Incorporated plan:**
Yarra Glen Cemetery Incorporated Management Plan (April 2005)
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<td>Yarra Junction Post Office/Residence and Wit and Wisdom Books. Warburton Highway, Yarra Junction</td>
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<td>Lilydale Historic Street Trees Anderson Street, Castella Street, Clarke Street, Cave Hill Rd (south), The Eyrie (part) and historic trees along the western boundary of Lilydale Recreation Reserve, Lilydale <strong>Incorporated plan:</strong> Lilydale Street Trees Incorporated Management Plan (August 2007)</td>
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<td>Lilydale Historic Houses: ‘Pre Federation House Types’</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO411</td>
<td>Lilydale Historic Houses: ‘Federation House Types’</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO412</td>
<td>Lilydale Historic Houses: ‘Interwar House Types’</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO413</td>
<td>Residence 1-3 View Street, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO414</td>
<td>Residence 2 Westmount Road, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO415</td>
<td>Residence 17 Harker Street, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO416</td>
<td>Residence 45 McGrettons Road, Healesville</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO417</td>
<td>Residence 17 Old Fernshaw Road, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO418</td>
<td>‘Hiawatha’ Residence 17 Stephens Road, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO419</td>
<td>‘Mandeville’ Residence 19 Stephens Road, Healesville</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>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 permitted?</td>
<td>Aboriginal heritage place?</td>
</tr>
<tr>
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<td>---------------------------</td>
<td>----------------------------</td>
</tr>
</tbody>
</table>
| HO420      | ‘Lauriston’ Residence  
91 Maroondah Highway, Healesville | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO421      | ‘Hillgrove’ Residence  
95 Maroondah Highway, Healesville | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO422      | ‘Millowen’ Residence  
347 Maroondah Highway, Healesville | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO423      | ‘Bona Vista’ Residence and stables  
39 McGrettons Road, Healesville | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO424      | Residence  
81 Newgrove Road, Healesville | No                             | No                                   | Yes                 | No                              | No                                              | No                        | No                         |
| HO425      | Former Healesville West Post Office  
3 Old Chum Creek Road, Chum Creek | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO426      | Shop – former Dawborn’s Grocery  
195 Maroondah Hwy, Healesville | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO427      | Symons Street, Healesville Residential Precinct  
**Incorporated plan:**  
Symons Street Healesville Residential Precinct | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
| HO428      | Healesville Commercial Precinct  
**Incorporated plan:**  
Healesville Commercial Precinct | No                             | No                                   | No                  | No                              | No                                              | No                        | No                         |
<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 permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO429</td>
<td>Maroondah Water Supply System (Upper and Central Sections) Fernshaw and Toolangi and Healesville and Warburton and Chum Creek and Dixoins Creek and Yarra Glen The heritage place includes: Cement Creek Tramway Incline Warburton East (part) (refer HO357) Mt Juliet Cairn Healesville Area Bicentennial National Trail Healesville Area Mount Donna Buang- Bridle Tracks &amp; Road Warburton (part) (refer HO140) Mountain Ash Stand Maroondah Catchment (refer HO222)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2381</td>
<td></td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

**Design objectives**

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

**Buildings and works**

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<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. 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. 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

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5
31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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.

KILSYTH SOUTH RURAL LIVING AREA

1.0

Design objectives

To recognise that the area forms an attractive semi rural landscape that provides an important buffer between areas of urban residential use to the west, and the Dandenong Ranges National Park.

To provide for the limited subdivision of the area for predominantly rural residential use.

To ensure that any subdivision in the area is designed to protect the rural landscape and significant environmental features of the area, and minimise the impact of additional traffic generation on adjoining roads.

2.0

Buildings and works

No permit is required under this overlay to construct a building or to construct or carry out buildings or works.

3.0

Subdivision

The subdivision of land within this overlay must comply with the following requirements.

Any permit to subdivide land within this overlay must be accompanied by a site management plan prepared to the satisfaction of the responsible authority. The subdivision of the land must comply with the requirements of the relevant schedule to the Rural Living Zone and be consistent with the site management plan. The site management plan must incorporate the following requirements:

- the number of vehicle access points to adjoining roads must be kept to a minimum through the use of internal access roads and/or shared driveways;
- wherever possible Liverpool Road should be used as the preferred point of access to new lots on the subject land;
- a 5m wide tree reserve must be provided along the frontage to Liverpool Road and be planted with suitable locally indigenous species prior to the development of any additional houses on the land;
- the location of established hedgerows and other significant vegetation must be identified and the management plan must provide for the retention, wherever practicable, of this vegetation and its incorporation in the design of any subdivision to minimise the visual impact of new development on the land;

For any new lots fronting Sheffield Road the site management plan must also incorporate the following additional requirements:

- building envelopes must be identified for each new lot and the building envelopes must not be located within 100 metres of Sheffield Road and should avoid any sites that would require the removal of remnant vegetation;
- the location of any remnant vegetation on the land must be identified and the site management plan must show how that vegetation will be protected from grazing and other disturbance and enhanced through additional planting with locally indigenous species.

Land at No. 45 Pavitt Lane must not be subdivided until an agreement has been entered into under Section 173 of the Planning and Environment Act to remove the poultry sheds from the property and carry out any soil decontamination to the satisfaction of the responsible authority.
4.0

Decision guidelines

Any use, development or subdivision on site must be in accordance with the site management plan.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

MOUNT EVELYN TOWN CENTRE

1.0

Design objectives

General design objectives for whole town centre

- To reinforce and strengthen the distinctive character of the Mt Evelyn town centre.
- To maintain the pedestrian scale and fine grained rhythm of the streetscape of the existing shopping streets.
- To maintain the low rise character of the town centre.
- To protect key views from within the town centre to the Dandenong Ranges and surrounding areas.
- To protect the bushland character of the centre.
- To promote Wray Crescent and Station Street as the hub of the Mt Evelyn town centre and the main focus of pedestrian activity.
- To encourage a continuity of active frontages to Wray Crescent and Station Street.
- To ensure that development on the eastern side of Snowball Avenue is consistent with the residential character of the street.
- To ensure that buildings with visible roof form make a positive contribution to the character of the centre.
- To ensure that the design of buildings responds to the site slope.
- To encourage medium density residential development including shop top housing on sites within and adjoining the established commercial area.

2.0

Buildings and works

- Development should maintain a low rise character and should not exceed two storeys (up to 8 metres) above natural ground level. A third storey may be considered where it is setback or recessed.
- Development should not obscure views to the Dandenong Ranges (and maintain a view of middle distance vegetation within these views) from Outlook Park, the Warburton Trail and from the elevated northern end of Wray Crescent.
- Development should avoid visible expanses of flat roof and support a varied and interesting roof form.
- Plant and equipment of roofs should generally not be visible.
- Development should be stepped with slope so that changes in natural ground level do not result in built form with a visual bulk that undermines the low-rise and fine-grained character of the centre.
- Buildings should be constructed to the street frontage along Station Street and Wray Crescent except where a setback is required to enable retention of significant vegetation.
- Development should provide a stronger physical and pedestrian connection between the hub of the town centre in Wray Crescent and Station Street and sites to the rear of the town centre including the supermarket development in the south - east corner of the town centre.
- Building canopies or awnings giving continuous all weather protection must be provided along the street frontage to Wray Crescent, Station Street, York Road and Birmingham Road.
- Development (including corner sites) should provide active frontages to Wray and Station Streets.

- Development on the east side of Snowball Avenue should respect the residential character of the street by the following:
  - Avoid the presentation of blank walls to the streetscape.
  - The use of landscaping, setbacks and building articulation to address the visual balance of the street.

- Development on public land should retain and extend indigenous vegetation and protect fauna habitat.

- Development on land adjoining the Warburton Trail or open space areas in Birmingham Road should be designed to protect the bushland character of the open spaces areas.

- Car parking and vehicle access ways within road reserves along York Road and Birmingham Road should retain and extend areas of indigenous vegetation.

### 3.0 Subdivision

Nil

### 4.0 Advertising signs

Nil

### 5.0 Decision guidelines

Nil
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

HEALESVILLE – MAROONDAH HIGHWAY ('WESTERN GATEWAY') INDUSTRIAL 3 AREA

1.0 Design objectives

- To achieve a high quality design outcome that is reflective of the area’s gateway location to Healesville.
- To achieve a design outcome that contributes to the Maroondah Highway as a major scenic and tourist route within the Yarra Ranges.
- To ensure development is visually unobtrusive when viewed from the Maroondah Highway or public vantage points within the Green Wedge area;
- To ensure that the nature, scale and appearance of development enhances the streetscape, landscape and environmental characteristics of the area.
- To ensure a low scale built form that maintains views through the area to the surrounding landscape viewed from the Maroondah Highway.
- To ensure that development does not adversely affect the amenity of adjoining residential and non-industrial areas.

2.0 Buildings and works

Permit Requirements

- A permit is required to construct a fence.
- Buildings or structures should not exceed 8 metres in height above natural ground level unless it can be demonstrated that the proposed development will not be visually obtrusive when viewed from the Maroondah Highway or public vantage points within the Green Wedge area.
- Built form should provide a variety of articulation and architectural features and ensure visual permeability through the site when viewed from Maroondah Highway.
- Built form should be low scale with attention to design details that minimise larger ‘tilt slab’ walls and promotes an activated front facing the Maroondah Highway.
- Buildings and associated areas including car parking and storage areas are required to be setback a minimum of 15 metres from the Maroondah Highway.
- Fencing should not occur along the Maroondah Highway frontage.
- Any fencing should be designed to have minimal visual impact and preferably be located behind landscape setback areas.
- Vehicular access to the area is required to be from Heritage Lane or Argoon Road.
- All external materials, colours and finishes including roofs are to be non-reflective and in subdued tones that complement the semi-rural neighbourhood and streetscape character of the area.
- An application for a permit must be accompanied by a detailed design context report that demonstrates how the proposal addresses the following:
  - existing site conditions including vegetation within the site and on the adjoining roadsides.
  - How the proposal meets the design objectives of this schedule and the performance criteria contained in the Industrial Areas Local Planning Policy at Clause 22.05.
- An application must be accompanied by a plan that shows the following:
- Provision of all services including drainage and sewerage.
- The location, layout, proposed elevations and external materials, finishes and colours of all buildings and works.
- Location, layout and width of all vehicle crossings and pedestrian ways and the location, layout and construction details of all car parking areas, footpaths, access ways and loading areas ensuring separation of pedestrian and vehicle movement.

An application must be accompanied by a landscape plan that shows:
- Details of all proposed planting including species type.
- Proposed fencing.
- A management plan detailing maintenance requirements for the landscaped areas.
- A landscape planting of at least 10 metres wide of predominantly indigenous vegetation along the Maroondah Highway frontage that includes canopy trees and which complements the existing remnant vegetation on the site and on the adjoining roadside.
- Provision of landscaping throughout the development that visually breaks any hard surface areas including car parking and storage areas.

### Advertising signs

A permit is required in accordance with Clause 52.05 Category 4 - sensitive areas.

### Decision guidelines

Before deciding on an application, the responsible authority must have regard to the design context report required by this schedule.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

LILYDALE TOWN CENTRE

1.0 Design objectives

To promote high-quality development that makes a positive contribution to the appearance and operation of the town centre.

To create a more compact and vibrant town centre through multi-level redevelopment of underutilised sites.

To retain Main Street as a visually interesting mix of pedestrian scale development that provides a focus of commercial activity.

To reinforce the distinctive characteristics of the town centre such as its valley setting, heritage buildings, tree lined streets, and parkland areas.

To encourage the adoption of Environmentally Sustainable Design techniques in new development.

To promote development that contributes to safe and vibrant public places.

2.0 Buildings and works

A permit is not required for:

- The installation of an automatic teller machine.

- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

All buildings and works requiring a permit must be constructed in accordance with:

- The general design requirements and outcomes to be achieved as set out in Table 1 of this Schedule.

- Any additional design requirements and outcomes to be achieved for the relevant precinct as set out in Table 2 of this Schedule.

A permit may be granted for buildings and works that do not accord with any of the requirements of this schedule provided the design objectives and outcomes to be achieved are satisfied.

3.0 Subdivision

No content

4.0 Advertising signs

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades or walls of buildings are not to be painted or coloured in a way that creates a form of advertising.

- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.

- Signs are to be designed to form an integrated part of the building and not dominate the architecture of the building.
• Signs are not to be located on the roof of a building or extend above the parapet of the building.
• Animated signs are discouraged.
• Visual clutter associated with signs is to be avoided.

5.0
Application requirements
A development application must be accompanied by:
• A report detailing how the design of the proposed development responds to the design objectives of this schedule.
• A report detailing how Environmentally Sustainable Design techniques such as energy and water conservation, waste minimisation, vegetation retention and promotion of alternative transport options have been incorporated in the proposed development.
• Three dimensional illustrations showing the proposed development in the context of the surrounding buildings in the Activity Centre.
• Details of any effect a building or works may have on adjoining residential properties or public domain areas.

If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

6.0
Decision guidelines
Before deciding on an application the responsible authority must consider:
• The design objectives of this Schedule;
• Whether the proposal achieves the design requirements and the outcomes contained in the relevant tables of this Schedule.

7.0
Reference document

Table 1 To Schedule 4

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building appearance</td>
<td></td>
</tr>
<tr>
<td>New development should:</td>
<td></td>
</tr>
<tr>
<td>- Adopt a scale, rhythm and proportion that reflects the character of the street and encourages pedestrian activity and linkages to adjoining public spaces.</td>
<td>New development will comprise buildings of high architectural quality that positively contribute to the form, character and identity of Lilydale.</td>
</tr>
<tr>
<td>- Incorporate the design elements specified in the Building Frontages and Weather Protection Map.</td>
<td></td>
</tr>
<tr>
<td>- Incorporate articulated facades, window detailing, parapet treatments and other detailing and materials in the upper levels of buildings.</td>
<td></td>
</tr>
<tr>
<td>- Adopt façade designs that provide visual interest from both streets of corner sites.</td>
<td></td>
</tr>
<tr>
<td>- Emphasise key corner sites by adopting building designs of high architectural quality and including features such as a low tower, articulated roof form, or more prominent verandah design.</td>
<td></td>
</tr>
<tr>
<td>General design requirements</td>
<td>Outcome to be achieved</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Design requirement</strong></td>
<td><strong>Outcome to be achieved</strong></td>
</tr>
<tr>
<td>Use glazing and roofing materials of low reflectivity.</td>
<td>The height of new development will respect valued characteristics of the town centre. Opportunities for distant views from new development to surrounding rural areas will be maximised.</td>
</tr>
<tr>
<td>Provide appropriate facilities for the storage, collection and recycling of waste materials, and screen them from public view.</td>
<td></td>
</tr>
</tbody>
</table>

### Building height
New development should adopt building heights as set out on the Building Heights Map.

### Setbacks
New development should adopt frontage and side setbacks as shown on the Building Setbacks Map.

### Interface with public places
New development should:
- Be designed so the frontage and internal layout of the ground floor provides visual and physical links between the building and the street.
- Provide pedestrian entrances into buildings that are at the same level as the footpath, clearly visible from the street, well lit, and allow for mobility-impaired access.
- Actively address both frontages of corner sites and ensure that the corner allows for safe and comfortable pedestrian movement.
- Provide verandahs for pedestrian weather protection in locations identified on the Building Frontages and Weather Protection Map. Verandahs should be provided for the full width of properties and the height of verandahs should be consistent with adjoining properties.
- Provide passive surveillance of adjoining public places through design elements such as the inclusion of overlooking windows, location of outdoor dining areas and the provision of pedestrian access links.
- Minimise overshadowing of adjoining streets and other public spaces.

### Landscaping
Landscaping should complement the species selection and design treatments of established landscaping in adjoining streets and other public realm areas.

Existing canopy trees should be retained and protected wherever feasible when constructing new buildings.
New development should provide for the retention, enhancement and continuation of consistent avenue tree planting along the abutting streets.

### Access and parking
Car parking associated with new development should:
- Be located to minimise the visual impact on the streetscape and adjoining public spaces.
- Not be provided between the front of the building and the street.
### General design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Be provided in basement or undercroft areas wherever feasible, to maximise useable floor space in the activity centre.</td>
<td></td>
</tr>
<tr>
<td>- Provide natural ventilation for any basement car parks.</td>
<td></td>
</tr>
<tr>
<td>- Be designed so that views of cars on upper levels and loading facilities are screened from public places.</td>
<td></td>
</tr>
<tr>
<td>- Be landscaped with trees that provide shade in open lot car parks. Vehicle access associated with new development should be:</td>
<td></td>
</tr>
<tr>
<td>- Located to minimise the number of vehicle crossovers to streets and where feasible be provided from laneways or secondary street frontages.</td>
<td></td>
</tr>
<tr>
<td>- Located to facilitate safe vehicle and pedestrian movements.</td>
<td></td>
</tr>
<tr>
<td>- Separated from pedestrian access points.</td>
<td></td>
</tr>
<tr>
<td>All car parking areas, including entry and exit points, should be well lit and clearly identified with signage.</td>
<td></td>
</tr>
</tbody>
</table>

### Development adjoining Heritage buildings

New buildings adjoining heritage buildings and other buildings constructed prior to 1945 that are a prominent feature of the streetscape, should:

- Use simple building forms with similar proportions to the heritage building. The reproduction of traditional details is to be avoided.
- Generally adopt front and side setbacks of adjoining heritage buildings. Where the heritage building has atypical setbacks adopt the predominant setbacks in the street or provide a transition in setbacks from the adjoining heritage building to the predominant setback in the street.
- Generally adopt facade heights of adjoining heritage buildings and avoid building facades that are substantially lower. Where the heritage building is atypically tall, adopt the predominant facade height in the street.
- The height of a new building may exceed the facade height of an adjoining heritage building, if the additional height is recessed so that it is not visible from key public viewing areas. Where it is not practical to prevent visibility of the upper level, provide an upper level setback of at least 5 metres for additional height.

### Table 2 To Schedule 4

#### DDO4 - Precinct A Main Street - Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building appearance</strong></td>
<td>The Main Street will continue to be the focus of retail and civic activity. New development will reinforce a strong sense of identity for Lilydale. The prominent scale of heritage buildings will be maintained while allowing for increases in the intensity of development. Development will enhance the safety and amenity of public places and increase levels of pedestrian activity.</td>
</tr>
<tr>
<td>New development fronting the main street should adopt a ‘fine grain’ scale that reinforces high levels of pedestrian activity and visual interest in Main Street.</td>
<td></td>
</tr>
<tr>
<td>Renovations to the Olinda Creek Hotel should be undertaken in a way that is sympathetic to the architectural style of the building.</td>
<td></td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
</tr>
<tr>
<td>The heritage-listed olive tree on John Street should be protected by an 8 metre setback from the canopy of the tree to any building, possibly providing the opportunity for an entrance plaza to a new development.</td>
<td></td>
</tr>
</tbody>
</table>
DDO4 - Precinct A Main Street - Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any new development fronting the south side of Main Street between Hutchinson Street and Olinda Creek, should provide a rear setback of 3 metres in order to establish a 6 metre wide access way along the rear of properties. A rear setback is not required where a laneway reserve of at least 3 metres wide already exists. Any new buildings at the north western corner of Main Street and Anderson Street, should extend from Main Street through to Morecroft Place.</td>
<td></td>
</tr>
<tr>
<td><strong>Public/Private interface</strong></td>
<td></td>
</tr>
<tr>
<td>New development:</td>
<td></td>
</tr>
<tr>
<td>• Should provide active frontages to Main Street, John Street and Hutchinson Street, and to the intersecting side streets on corner sites in accordance with the Building Frontages and Weather Protection Map.</td>
<td></td>
</tr>
<tr>
<td>• On the north side of Main Street between the rail line and Olinda Creek, should provide offices and secondary entries along the north side of allotments to improve passive surveillance of the adjoining reserve.</td>
<td></td>
</tr>
<tr>
<td>• Adjoining the Olinda Creek Parklands or Melba Park should adopt high quality architectural designs that provide an attractive frontage and passive surveillance of the adjoining open space.</td>
<td></td>
</tr>
<tr>
<td><strong>Access and parking</strong></td>
<td></td>
</tr>
<tr>
<td>On sites with frontages to both Main Street and Hardy Street, or Main Street and Market Street, the design of any new development should provide for pedestrian access linkages between those streets. On sites on the south side of Main Street between Olinda Creek and Anderson Street, direct vehicle access to properties from Main Street should be avoided and provided from Hardy Street and rear access laneways wherever feasible.</td>
<td></td>
</tr>
</tbody>
</table>

DDO4 - Precinct A - Key sites

<table>
<thead>
<tr>
<th>Key Site A1-Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>New development on the site should:</td>
<td></td>
</tr>
<tr>
<td>• Provide an architectural feature on the corner location. Urban art should be considered for the corner or on the western facade.</td>
<td></td>
</tr>
<tr>
<td>• Provide active frontages to Main Street and the transport interchange and provide pedestrian entry points from both frontages.</td>
<td></td>
</tr>
<tr>
<td>New development may extend to 10.5 metres (three storeys) without a requirement for a recessed upper level at the corner locations. Advertising signage on the western façade should be avoided.</td>
<td></td>
</tr>
</tbody>
</table>

**Key Site A2-Design requirement**

New development should:

- Emphasise the corner location with a building of high architectural quality and provide a corner design feature such as a low tower or more prominent verandah design.
- Provide pedestrian entry points from Main Street, Hutchinson Street, John Street and the rear car park.

New development may extend to 10.5 metres (three storeys).

**Key Site A3-Design requirement**

New development should:

- Development will promote increased pedestrian activity along John Street and Main Street.
- Development will provide an active frontage to the intersection of Hutchinson Street and John Street.
### DDO4 - Precinct A - Key sites

<table>
<thead>
<tr>
<th>Key Site A1-Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>New development should:</td>
<td></td>
</tr>
<tr>
<td>• Emphasise the corner location with a building of high architectural quality and provide a corner design feature such as a low tower or more prominent verandah design.</td>
<td>A high quality and prominent building to mark the eastern entrance to Lilydale.</td>
</tr>
<tr>
<td>• Provide vehicle entry points from Anderson Street at the southern edge of the site or from Hardy Street if this site is consolidated with other sites.</td>
<td></td>
</tr>
<tr>
<td>New development may extend to 13.5 metres (4 storeys) at the corner of Maroondah Highway and Anderson Street.</td>
<td></td>
</tr>
<tr>
<td>Signage should be restricted to building identification signage and be limited in size so it does not dominate the building or the intersection.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key Site A4-Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development should emphasise the corner location with a building of high architectural quality and provide an emphasised corner feature such as a low tower or more prominent verandah design.</td>
<td>A high quality development that complements the character of heritage buildings in Castella Street.</td>
</tr>
<tr>
<td>Development fronting Castella Street, Anderson Street or the northern boundary of the site should not exceed 10.5 metres (3 storeys).</td>
<td>The site will be integrated with surrounding streets and provide for safe and convenient pedestrian movement through the site.</td>
</tr>
<tr>
<td>Development at the street frontage should not exceed 7.5 metres (2 storeys) and the third storey should be setback 5 metres from property boundaries.</td>
<td>Built form will minimise impacts on adjoining streetscapes and nearby heritage properties, and minimise overshadowing of open space to the west through significantly recessed upper levels.</td>
</tr>
<tr>
<td>An increase in height can be provided up to 19.5 metres (6 storeys) as a podium level provided it is recessed at least 20 metres from the property boundaries.</td>
<td></td>
</tr>
<tr>
<td>New development should provide a pedestrian link through the site between Anderson Street and Castella Street.</td>
<td></td>
</tr>
<tr>
<td>Where the site adjoins the Heritage Overlay property at 42-44 Castella Street, new development should provide a transition in front and side setbacks from the Heritage Overlay property.</td>
<td></td>
</tr>
</tbody>
</table>

### DDO4 Precinct B West End Mixed Use – Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building height</strong></td>
<td></td>
</tr>
<tr>
<td>New development fronting:</td>
<td>Development of a more intensive built form that provides opportunities for upper level residential accommodation.</td>
</tr>
<tr>
<td>• Main Street, John Street, William Street East, or Cave Hill Road, should not exceed 10.5 metres (3 storeys).</td>
<td>High levels of pedestrian amenity with opportunities to access sunlight throughout winter, and buildings that relate to the pedestrian scale.</td>
</tr>
<tr>
<td>• Main Street or Cave Hill Road, should incorporate a third storey set back of at least 5 metres from the street frontage.</td>
<td>Buildings contribute positively to adjoining public places</td>
</tr>
<tr>
<td>• John Street between William Street West and Cave Hill Road should not exceed 13.5 metres (4 storeys).</td>
<td></td>
</tr>
<tr>
<td>• John Street, should incorporate a fourth storey setback of at least 5 metres from the John Street frontage.</td>
<td></td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
</tr>
<tr>
<td>New development:</td>
<td></td>
</tr>
<tr>
<td>• Should provide a 5 metre landscaped front setback to John Street and Cave Hill Road and zero setback to side boundaries.</td>
<td></td>
</tr>
<tr>
<td>• Should provide zero front and side setbacks for properties fronting Main Street and William Street West.</td>
<td></td>
</tr>
</tbody>
</table>
### DDO4 Precinct B West End Mixed Use – Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>On sites west of the railway, should provide a rear setback of 3 metres in order to establish a 6 metre wide access way along the rear of properties. A setback is not required where a laneway reserve of at least 6 metres wide currently exists.</td>
<td></td>
</tr>
<tr>
<td>On sites east of the railway and south of John Street, should provide a rear setback of 6 metres to establish a rear access way.</td>
<td></td>
</tr>
<tr>
<td>Should provide additional rear setbacks to establish landscaped courtyards at the rear of properties used for residential and office uses.</td>
<td></td>
</tr>
</tbody>
</table>

**Public/private interface**

New development should provide pedestrian entry points from the street frontage and rear car parking areas.

**Access and parking**

New development should provide:

- Vehicle access from existing and future rear laneways.
- Car parking to the rear of properties away from the street frontage.
- Basement or undercroft car parking wherever feasible to maximise useable floor space.

### DDO4 Precinct D Industrial - Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building appearance</strong></td>
<td>A high quality building that contributes positively to the western entry to Lilydale. The building is scaled to maintain views from the Maroondah Highway across the Yarra Valley</td>
</tr>
<tr>
<td>New development should be designed to:</td>
<td></td>
</tr>
<tr>
<td>Incorporate roof forms that provide visual interest and retain distant views from elevated viewpoints across the site to the Yarra Valley and distant ranges.</td>
<td></td>
</tr>
<tr>
<td>Adopt colours and materials that complement the view to the surrounding landscape.</td>
<td></td>
</tr>
<tr>
<td>New development on the Olex Cables site fronting Main Street should be designed to:</td>
<td></td>
</tr>
<tr>
<td>Emphasise the entry into the activity centre and follow the alignment of the road.</td>
<td></td>
</tr>
<tr>
<td>Incorporate articulated facades on the Main Street and Cave Hill Road frontages.</td>
<td></td>
</tr>
</tbody>
</table>

| **Building height & setbacks** |  |
| Buildings should not exceed 10.5 metres (three storeys). |  |
| A landscaped ground level setback of 3 metres should be provided from the frontage to Main Street. |  |
| A landscaped ground level setback of 5 metres should be provided from the frontages to Cave Hill Road and Beresford Road. |  |

### DDO4 Precinct G Lilydale Marketplace – Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building appearance</strong></td>
<td>Comprehensive redevelopment of the precinct in a form that:</td>
</tr>
<tr>
<td>New development:</td>
<td></td>
</tr>
<tr>
<td>Design requirement</td>
<td>Outcome to be achieved</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Should provide strongly articulated and active building frontages to the adjoining streets, and the inclusion of covered car parking areas with retail, commercial or residential floorspace above.</td>
<td>promotes strong visual and pedestrian linkages with, the Town Centre precinct, the Olinda Creek Parklands and the Swinburne University Campus;</td>
</tr>
<tr>
<td>Abutting the intersection of John Street and Hutchinson Street should create a strong built form presence that strengthens the visual connections between the precinct south of John Street and the town centre.</td>
<td>enhances the amenity of adjoining public spaces;</td>
</tr>
<tr>
<td>Fronting the south side of John Street, should incorporate individual shopfronts rather than large unarticulated facades.</td>
<td>creates a more intensive built form which provides opportunities for upper level residential accommodation;</td>
</tr>
<tr>
<td>On the south side of John Street, should be visually and functionally integrated with the adjoining commercial development located further to the south.</td>
<td>recognises the site’s potential location in the event that the Lilydale Bypass is constructed;</td>
</tr>
<tr>
<td>On the Melba Avenue frontage adjoining the proposed Lilydale Bypass route, should be designed so that it can be adapted to form a southern gateway into the activity centre if the bypass is constructed.</td>
<td>provides for the widening of Hutchinson Street to create an appropriate entrance from the constructed bypass.</td>
</tr>
</tbody>
</table>

**Building height**

New development should adopt building heights as set out on the Building Heights Map.

A permit may be granted to allow development to extend up to 19.5 metres (6 storeys) towards the southern side of the site provided it incorporates upper level setbacks from the Olinda Creek Parklands.

**Setbacks**

New development should provide:

- Zero front and side setbacks for development fronting Hutchinson Street (a setback of up to 10 metres from Hutchinson Street may be required to provide for potential road widening).
- A 3 metre landscaped front setback and zero side setbacks for development fronting John Street;
- A 20 metre landscaped setback and side setbacks for properties fronting Melba Avenue (future bypass) to allow vegetation to permeate between building forms.

**Public/private interface**

New development should:

- Provide active building frontages to Hutchinson Street with verandahs for weather protection.
- Provide pedestrian entry points to buildings from the Hutchinson Street frontage and rear car parking areas.
- Limit the number and width of vehicle crossing points on to John Street in order to minimise disruption to the pedestrian movement.
- Provide safe and legible pedestrian links between the site and the Town Centre precinct.
- Provide pedestrian access through the site to connect Hutchinson Street to the Olinda Creek Parklands.
- Create an active interface with the adjoining Olinda Creek Parklands which avoid bland and visually dominating building forms. Encourage buildings to take advantage of views into the parkland.

**Access and parking**

New development should:
### DDO4 Precinct G Lilydale MarketPlace – Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design car parking, loading bay areas, and associated access ways to avoid impeding pedestrian movement along adjoining streets and between the site, the town centre and the Olinda Creek Parklands.</td>
<td></td>
</tr>
<tr>
<td>Provide car parking in basement, undercroft or rooftop areas wherever feasible.</td>
<td></td>
</tr>
</tbody>
</table>

**Landscaping**

New development should:

- Provide landscaped courtyard spaces within the development of the shopping area.
- Ensure any at grade car parking areas are landscaped with appropriate shade trees.
- Incorporate landscape designs and species selections that complement the adjoining Olinda Creek Parklands.

### DDO4 - Precinct H John Street & Hardy Street Mixed Use – Design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building appearance</strong></td>
<td>Development will strengthen the visual and functional links between the Main Street retail area and the Lilydale MarketPlace shopping centre. Buildings will be designed to improve passive surveillance of key public spaces.</td>
</tr>
<tr>
<td>New development should incorporate individual shop fronts rather than large unarticulated facades.</td>
<td></td>
</tr>
<tr>
<td><strong>Building height</strong></td>
<td></td>
</tr>
<tr>
<td>New development should not exceed a maximum of 10.5 metres (3 storeys).</td>
<td></td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
</tr>
<tr>
<td>New development should:</td>
<td></td>
</tr>
<tr>
<td>- Provide 3 metre landscaped front setback to John Street with zero setbacks to side boundaries.</td>
<td></td>
</tr>
<tr>
<td>- Provide zero front and side setbacks for properties fronting to Hardy Street, Clarke Street or Anderson Street.</td>
<td></td>
</tr>
<tr>
<td>- For properties fronting the north side of John Street between Hutchinson Street and Olinda Creek, provide a rear setback of 3 metres to establish a 6 metre wide access way along the northern boundary of the properties.</td>
<td></td>
</tr>
<tr>
<td><strong>Public/private interface</strong></td>
<td></td>
</tr>
<tr>
<td>New development should provide pedestrian entry points from the street frontage and rear car parking areas.</td>
<td></td>
</tr>
<tr>
<td>Building forms facing the Olinda Creek should be of high architectural quality to provide an attractive interface with the open space corridor. Windows should be provided at ground and upper levels to improve passive surveillance of the adjoining open space.</td>
<td></td>
</tr>
<tr>
<td><strong>Access and parking</strong></td>
<td></td>
</tr>
<tr>
<td>Vehicle access should be provided from existing and future rear laneways.</td>
<td></td>
</tr>
<tr>
<td>Car parking should be provided to the rear of properties away from the street frontage.</td>
<td></td>
</tr>
<tr>
<td>Underground or undercroft car parking should be provided where feasible to maximise useable floor space.</td>
<td></td>
</tr>
<tr>
<td>Design requirement</td>
<td>Outcome to be achieved</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Where no side or rear vehicular access to properties along Hardy Street exists, the number of driveway crossovers should be limited so that interruption to the footpath is minimised.</td>
<td></td>
</tr>
<tr>
<td>On sites with frontages to both Main Street and Hardy Street, the design of any new development should provide for pedestrian access linkages between those streets.</td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**.

LEAST CHANGE AREAS

1.0

**Design objectives**

To provide a planning framework to guide limited residential development and subdivision

To protect the special features and unique character of these areas from increased dwellings

To ensure development is at a scale consistent with the unique character of the foothills and rural townships and enhances neighbourhood character as defined in the associated Significant Landscape Overlay

**Buildings and Works**

To minimise the area covered by buildings and impervious surfaces. This will be achieved by:

- Retaining sufficient areas around buildings for landscape planting - including mature species, consistent with the defined character of the foothills and rural areas
- Ensuring open space /setbacks around dwellings are of sufficient size to accommodate usable private open space and maintain the established pattern of development in the street
- Ensuring the setbacks, site coverage and design enable efficient use of the site, while recognising the amenity of the surrounding residents
- Retaining significant unpaved areas for informal drainage to improve stormwater quality and overall health of the catchment

To ensure new development avoids visual dominance by minimising bulk and scale

To minimise vehicle access and dominant car storage facilities at the front of properties

To ensure new development enhances the preferred neighbourhood character identified in the associated Significant Landscape Overlay Schedule 22.

To retain single dwellings as the predominant form of development

**Subdivision**

To ensure future subdivision creates lots large enough to accommodate new development while retaining natural and established vegetation cover

To provide lots with substantial areas for planting and regeneration to occur including for mature trees on each lot

To allow for smaller lots provided the site coverage is consistent with Section 2 of this clause and provided no net increase in site cover occurs as a result of subdivision.

2.0

**Buildings and works**

A permit is not required under the provisions of this overlay if all the following are met:

- There is only one dwelling per lot or if two or more dwellings occur on a lot, a density of one dwelling per 1000m² is not exceeded.
- The total area of the site covered by buildings does not exceed 30%.
- The total area of the site covered by buildings and impervious surfaces does not exceed 50%.

A permit may be granted for buildings in excess of 30% site cover or buildings and impervious surfaces in excess of 50% site cover provided the design objectives of this Clause are met. This does not apply for permit applications for more than one dwelling on a lot.

Buildings and works described at Clause 62.02 -2 are exempt from this provision.
Buildings and works that do not increase the total site coverage are exempt from this provision.

3.0 Subdivision

Subdivision of land must meet the following requirements:

- Each lot must be at least 1000m².
- Smaller lots can be considered when subdividing a site greater than 2000m² provided:
  - The average size of lots created by the subdivision must be at least 1000m².
  - No new lot created by the subdivision is less than 500m².
- A smaller lot can be created by a public authority or utility service provider for a utility installation.

A permit cannot be granted to subdivide land which is not in accordance with any of these requirements unless:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision is created.

4.0 Decision Guidelines

Before deciding on an application, the responsible authority must consider as appropriate:

- The design objectives of this schedule.
- Consistency with the relevant statement of nature and key elements of landscape and landscape character objectives contained in the corresponding Significant Landscape Overlay Schedule 22.
- The need for subdivision applications to include development proposals.
- Whether a reasonable proportion of the lot is free of buildings and available for tree planting, landscaping, informal runoff and private open space use.
- Whether the dimension and configuration of the secluded private open space provide a practical and useable space.
- Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping and open space.
- Whether proposed buildings retain an inconspicuous profile and do not dominate the landscape.
- Whether crossovers are minimised and parking facilities are provided at the rear of the dwellings or are not visible from the street.
- The impact of any proposed subdivision and development on the conservation of trees and permeable areas.

5.0 Transitional Arrangements

The requirements of Clause 3.0 of Schedule 5 do not apply to any application for subdivision of more than one dwelling on a lot (not including a dependent persons unit) or a permit allowing the construction of more than one dwelling on a lot before the approval date of the planning scheme that introduced this schedule into the planning scheme.

The provisions of the transitional arrangements expire on 16 May 2015.

6.0 References

*Yarra Ranges Housing Strategy 2009*
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENT OVERLAY

INCREMENTAL CHANGE AREAS – RURAL AND FOOTHILLS TOWNSHIPS

1.0

Design objectives
To provide a planning framework to facilitate limited infill residential development and subdivision in the foothill and rural town incremental change areas.

To ensure development is at a scale consistent with the unique character of the foothills and rural townships.

To ensure subdivision and residential development occur in a more spacious style that respects existing neighbourhood character and is at less density than in preferred consolidation areas.

Buildings and Works
To minimise the area covered by buildings and impervious surfaces. This will be achieved by:

- Retaining sufficient areas around buildings for landscape planting - including mature species, consistent with the defined character of the foothills and rural towns
- Ensuring open space/setbacks around dwellings are of sufficient size to accommodate usable private open space and maintain the established pattern of development in the street
- Ensuring the setbacks, site coverage and building design enable efficient use of the site, while recognising the amenity of the surrounding residents
- Preserving significant unpaved areas for informal drainage to improve stormwater quality and overall health of the catchment

To ensure new development avoids visual dominance by minimising bulk and scale

To minimise vehicle access and dominant car storage facilities at the front of properties

To ensure new development is consistent with and enhances the key elements and landscape character objectives identified in the associated Significant Landscape Overlay Schedule 22.

Subdivision
To create lots large enough to accommodate future and existing development, while retaining natural or established vegetation

To provide substantial areas for planting and regeneration to occur including areas for mature canopy species on each lot

To ensure new vacant lots are large enough to accommodate future buildings consistent with the site coverage provisions in this schedule.

To allow the creation of smaller lots provided site cover is consistent with this schedule and provided no net increase in overall site coverage occurs as a result of subdivision.

2.0

Buildings and works
A permit is not required under the provisions of this overlay provided all the following are met:

- The total area of the site covered by buildings must not exceed 30%.
- The total area of site covered by impervious surfaces (including buildings) must not exceed 50%.

A permit may be granted for buildings in excess of 30% site cover or buildings and impervious surfaces in excess of 50% site cover, provided the design objectives of this Clause are met. This does not apply for permit applications for more than one dwelling on a lot.

Buildings and works described at Clause 62.02 -2 are exempt from this provision.
Buildings and works that do not increase the total site coverage are exempt from this provision. Any building ancillary to a dwelling with a floor area of less than 10m² and not used for accommodation is exempt from this provision.

3.0

Subdivision

Subdivision of land must meet the following requirements:

- Any vacant lot (without a dwelling) must be at least 500m².
- When subdividing a lot into two lots with an existing dwelling, lots of less than 500m² can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following site coverage requirements:
  - The total area of each lot covered by buildings must not exceed 30%;
  - The total area of each lot covered by impervious surfaces (including buildings) must not exceed 50%.
- When subdividing a lot into three or more lots, lots of less than 500m² can be created providing the subdivision application is accompanied by a permit application showing the ultimate development of the site and must meet the following requirements:
  - The total area of the site covered by existing and/or proposed buildings must not exceed 30%;
  - The total area of site covered by impervious surfaces (including buildings) must not exceed 50%; and
  - An agreement under Section 173 of the Act must be entered into with the owner of each lot created by the subdivision to ensure that the land may not be further subdivided so as to increase the site coverage.
- A smaller lot can be created by a public authority or utility service provider for a utility installation.

A permit cannot be granted to subdivide land which is not in accordance with these requirements unless:

- The subdivision realigns the boundary between existing lots, provided no new lot or additional subdivision is created.

4.0

Decision Guidelines

Before deciding on an application, the responsible authority must consider as appropriate:

- The design objectives of this schedule.
- Consistency with the relevant statement of nature and key elements of landscape and landscape character objectives contained in the corresponding Significant Landscape Overlay Schedule 22.
- The need for subdivision applications to include development proposals.
- Whether a reasonable proportion of the lot is free of buildings and available for tree planting, landscaping, informal runoff and private open space use.
- Whether the dimension and configuration of the secluded private open space provide a practical and useable space.
- Whether the proposed building is set back a reasonable distance from the property boundaries to provide for landscaping and open space.
- Whether proposed buildings retain an inconspicuous profile and do not dominate the landscape.
Whether crossovers are minimised and parking facilities are provided at the rear of the dwellings or are not visible from the street.

Whether residential amenity impacts are minimised and can be managed and any necessary mitigation measures are satisfactory.

The impact of any proposed subdivision and development on the conservation of trees and permeable areas.

5.0

Transitional Arrangements

The requirements of Clause 3.0 of Schedule 6 do not apply to any application for subdivision of more than one dwelling on a lot (not including a dependent persons unit) or a permit allowing the construction of more than one dwelling on a lot before the approval date of the planning scheme that introduced this schedule into the planning scheme.

The provisions of the transitional arrangements expire on 16 May 2015.

6.0

References

*Yarra Ranges Housing Strategy 2009*
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

**LILYDALE ACTIVITY CENTRE RESIDENTIAL AREAS**

### Design objectives

To implement the objectives of the Lilydale Structure Plan, Lilydale Urban Improvement Project and the Shire of Yarra Ranges Housing Strategy.

To increase residential density and to provide for a range dwelling types within the housing consolidation area of Lilydale.

To encourage the aggregation of existing lots allowing greater flexibility to design quality higher density residential development that complements the existing streetscape.

To ensure new development is articulated and upper storey elements are not bulky or visually obtrusive.

To ensure new development retains existing streetscape elements of setback and spacing between buildings.

To ensure that the design of new buildings provides an appropriate transition of scale and form to buildings on adjacent lots.

To protect the amenity of existing dwellings by confining higher built form to larger lots.

To ensure street frontages and open space provide sufficient room for canopy trees and vegetation.

To protect identified heritage elements and encourage the retention of older significant buildings in new developments.

### Buildings and works

#### Permit requirements

A permit is not required to construct or extend one dwelling on a lot.

Any building or works should comply with the following requirements:

#### Building height

<table>
<thead>
<tr>
<th>Maximum Building Height</th>
<th>Condition regarding minimum lot size</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 metres</td>
<td>Frontage greater than 30 metres and depth greater than 45 metres.</td>
</tr>
<tr>
<td>11 metres</td>
<td>Lots with frontage to Melba Park</td>
</tr>
<tr>
<td>9 metres</td>
<td>Frontage less than 30 metres and depth less than 45 metres.</td>
</tr>
</tbody>
</table>

#### Building form, siting and layout

- Setbacks from the street boundary are no less than the lesser front setback of the buildings on the adjoining allotments.

- Development maintains the existing pattern of spacing between dwellings in the street. Reduced front, side and rear setbacks may be considered for development on lots with a frontage greater than 30 metres and a depth greater than 45 metres.

- Building heights are stepped down to provide a gradual transition to the scale of dwellings on the adjoining lots.

- The upper levels of development are recessed and articulated to reduce the dominant scale of the upper level and impact of overlooking and visual bulk.
On sloping sites buildings are designed to follow the natural contours and step down the site in order to minimise visual impact and reduce the need for excavation.

Buildings are sited and designed to retain major view lines including those to the Yarra Ranges and Dandenong Ranges from public vantage points.

Street frontages and open space provide sufficient room for the retention and planting of canopy trees.

New developments retain or adapt older style buildings in the design of development proposals, particularly where they can be retained facing the street and minimise impact on any adjoining buildings of significance.

Development complements the front, side and rear setbacks of buildings identified under the Heritage Overlay.

New developments on the same allotment as a building identified in a Heritage Overlay maintain the prominence of the heritage building and not restrict the views of the heritage building from the street.

Developments adjoining or fronting public open space such as Melba Park and the Lilydale Warburton Rail Trail enhance surveillance of users of the public open space. Non transparent fencing and walls should be avoided.

**Driveways and car parking**

- Developments include only one cross over to avoid impacts on roadside vegetation.

- Garages and carports associated with new development are not visually obtrusive when viewed from the front street and are located behind the line of the buildings.

- Larger developments integrate car parking requirements into the design of the development and encourage the use of undercroft or basement parking.

- Driveways and car parking allow for vehicles to turn within the property and to exit the property in a forward manner.

**Landscaping and front fencing**

- Developments retain existing trees where possible.

- Landscaping provides for at least two canopy trees (with a maturity height no less than 8 metres) in the front setback. On development sites that have a width of more than 30 metres this should be increased to at least three canopy trees.

- Front fences are low scale (below 1.2 metres in height) and generally reflect the typical fencing style of the street.

- Landscaping and boundary treatments create a strong connection between the public and private realms.

**Subdivision**

A permit is not required to subdivide land.

**References**

*Lilydale Major Activity Centre Structure Plan 2006*

*Lilydale Major Activity Centre Urban Improvement Project Shire of Yarra Ranges 2008*

*Vision 2020 By Design: A built environment framework for Yarra Ranges*

*Yarra Ranges Housing Strategy 2009*
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8.

NEIGHBOURHOOD CENTRES AND RURAL TOWNSHIP CONSOLIDATION AREAS

1.0 Design objectives

To implement the objectives of the Shire of Yarra Ranges Housing Strategy 2009.

To increase residential density and to provide for a range of housing types within the identified consolidation areas of neighbourhood centres and rural townships.

To encourage the aggregation of existing lots allowing greater flexibility to design quality higher density residential development that complements the existing streetscape.

To encourage higher built form on larger lots to protect the amenity of existing dwellings.

To ensure new development is well articulated and upper storey elements are not bulky or visually obtrusive.

To ensure that the design of new buildings provides an appropriate transition of scale and form to buildings on adjacent lots.

To minimise the impact of driveways and parking areas in multi-unit developments.

To ensure street frontages and open space provide sufficient room for canopy trees and vegetation.

2.0 Buildings and works

Permit requirements

A permit is not required to construct or extend one dwelling on a lot.

Any building or works should comply with the following requirements:

Building height

<table>
<thead>
<tr>
<th>Maximum building height</th>
<th>Condition regarding minimum lot size</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 metres above natural ground level</td>
<td>1500m² or greater</td>
</tr>
<tr>
<td>9 metres above natural ground level</td>
<td>Less than 1500m²</td>
</tr>
</tbody>
</table>

Building form, siting and layout

- Setbacks from the street boundary should be no less than the lesser setback of the buildings on the adjoining allotments.

- Buildings are stepped down to provide a gradual transition to the scale of the adjoining residential area.

- The upper level of developments is recessed and articulated to reduce dominance of the upper level and impacts of overlooking and visual bulk.

- On sloping sites development follows the natural contours and steps down the site to minimise visual impact and reduce the need for excavation.

- Buildings are located and designed to retain major view lines from public viewing locations.

- Street frontages and open space provide sufficient room for the retention and planting of canopy trees.

- New developments retain or adapt older style buildings in the design of development proposals particularly where they can be retained facing the street and minimise impact on any adjoining buildings of significance.
Developments adjoining public open space enhance surveillance of users of the public open space.

New development are set back from watercourses to allow space for vegetation.

**Driveways and car parking**
- Developments should include only one cross over that avoids impacting on roadside vegetation.
- Garages and carports associated with new developments are not visually obtrusive when viewed from the front street and are located behind the line of the buildings.
- Larger developments integrate car parking requirements into the design of the development, encouraging the use of undercroft or basement parking.
- Driveways and car parking are designed to allow for vehicles to turn within the property and to exit the property in a forward manner.

**Landscaping and front fencing**
- Developments are sited and designed to retain existing trees where possible.
- Landscaping provides for at least two canopy trees (with a maturity height no less than 8 metres) in the front setback. On development sites with a width of more than 30 metres this is increased to at least three canopy trees.
- Landscaping includes a majority of local native and indigenous species.
- Front fences are low scale (below 1.2 metres in height) and be at least 75% transparent or generally reflect the typical fencing style of the street.
- Landscaping and boundary treatments create a strong connection between the public and private realms.

### Subdivision

Subdivision of land should meet the following requirements:

**Preferred subdivision size**

<table>
<thead>
<tr>
<th>Consolidation Area</th>
<th>Minimum subdivision size (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mooroolbark</td>
<td>None specified</td>
</tr>
<tr>
<td>Kilsyth</td>
<td>None specified</td>
</tr>
<tr>
<td>Healesville</td>
<td>300</td>
</tr>
<tr>
<td>Yarra Junction</td>
<td>300</td>
</tr>
<tr>
<td>Mt Evelyn</td>
<td>400</td>
</tr>
<tr>
<td>Yarra Glen</td>
<td>400</td>
</tr>
</tbody>
</table>

**References**

*Vision 2020 By Design: A built environment framework for YarraRanges*

*Yarra Ranges Housing Strategy 2009*
SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9.

MOOROOLBARK NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Design objectives

To create a safe and accessible activity centre that provides for people of all ages and levels of mobility.

To create a socially and environmentally sustainable community centred around the railway station and supported by additional housing choice and diversity which allow younger and older people to remain in their community.

To create a more pedestrian focussed, ‘liveable’ neighbourhood centre with a safe, connected walking and cycling network and reduced car dependency.

To create a thriving mixed-use centre with a diverse range of convenience retailing, entertainment, professional services and locally based employment opportunities.

To create a tree-lined centre with attractive, easily accessed parks, natural environments and community facilities, which are well integrated with each other.

To re-invigorate the civic and commercial precinct.

To ensure high quality urban design and environmental sustainability.

To strengthen integration and connectivity between transport modes.

To consolidate community facilities and activities.

2.0 Buildings and works

A permit is not required for:

- The installation of an automatic teller machine.

- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

All buildings and works requiring a permit must be constructed in accordance with:

- The general design requirements and outcomes to be achieved as set out in Table 1 to this Schedule.

- Any additional design requirements and outcomes to be achieved for the relevant site as set out in Table 2 to this Schedule.

A permit may be granted for buildings and works that do not accord with any of the requirements of this schedule provided the design objectives and outcomes to be achieved are satisfied.

Storey

For the purpose of interpreting the design requirements in the Tables to this Schedule ‘storey’ does not include a basement.

In calculating the building height based on storeys the following floor to floor dimensions should apply:
3.0

Advertising signs

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades or walls of buildings are not to be painted or coloured in a way that creates a form of advertising.
- Buildings should not be dominated by corporate/advertising colours of signage.
- Pole, A-frame, balloon, animated, flashing or rotating signs will not be supported.
- Signs are to be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs are not to be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs is to be avoided.
- The type of illumination, if any, of the signs should be appropriate to its function and should not detract from the architecture of the building, particularly during daylight.

4.0

Application requirements

A development application must be accompanied by:

- A report detailing how the design of the proposed development responds to the design objectives of this schedule.
- If the proposed development exceeds a floor area of more than 1500 square metres, a report detailing how Environmentally Sustainable Design techniques such as energy and water conservation, waste minimisation, vegetation retention and promotion of alternative transport options have been incorporated in the proposed development.
- Three dimensional illustrations showing the proposed development in the context of the surrounding buildings in the Activity Centre.
- Details of any effect a building or works may have on adjoining residential properties or public domain areas.

If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

5.0

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The design objectives of this Schedule.
- Whether the proposal achieves the design requirements and the outcomes contained in the relevant tables of this Schedule.

6.0

Reference document

Mooroolbark Activity Centre Structure Plan (March 2011).
### Table 1 to Schedule

<table>
<thead>
<tr>
<th>General design requirements</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban Context</strong></td>
<td></td>
</tr>
<tr>
<td>New development should reinforce the pattern of existing development with mostly narrow fronted shops and strongly articulated facades.</td>
<td>To reinforce the focus of business and pedestrian activity in the precinct.</td>
</tr>
<tr>
<td>Views to surrounding hills, trees and other landscape elements should be retained.</td>
<td>To contribute a distinctive built form and streetscape characteristics to the precinct.</td>
</tr>
<tr>
<td>The facades of new development on corner lots should be detailed to provide visual interest from both streets.</td>
<td></td>
</tr>
<tr>
<td>Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.</td>
<td></td>
</tr>
<tr>
<td>Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.</td>
<td></td>
</tr>
<tr>
<td>New crossovers and car parking between a building and its frontage are discouraged.</td>
<td></td>
</tr>
<tr>
<td>Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.</td>
<td></td>
</tr>
<tr>
<td>Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.</td>
<td></td>
</tr>
<tr>
<td>Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.</td>
<td></td>
</tr>
<tr>
<td><strong>Built Form</strong></td>
<td></td>
</tr>
<tr>
<td>Development should provide active transparent and articulated building edges, avoiding long expanses of blank walls.</td>
<td>To provide a visually attractive built form character.</td>
</tr>
<tr>
<td>Development should avoid bland, boxy, unarticulated building forms.</td>
<td>To provide buildings which are designed for longevity, with varied form and materiality to create interest and individuality.</td>
</tr>
<tr>
<td>Development on key corner sites should emphasise the corner location with buildings of high architectural quality.</td>
<td>To activate the street edges with frontages that interact with the surrounding environment.</td>
</tr>
<tr>
<td>New developments should limit the impact of garages along the street frontage with setbacks, sensitive material selection and alternative drive location.</td>
<td>To respect views and outlook from adjacent properties.</td>
</tr>
<tr>
<td>Development should provide articulated building forms along frontages and side streets with varied and sensitive choice of materials.</td>
<td>To design all outbuildings to integrate visually with the main dwelling.</td>
</tr>
<tr>
<td>The upper level of developments should be recessed and articulated to reduce the dominance of the upper level, and the impacts of overlooking and visual bulk.</td>
<td>To encourage the use of balconies for overlooking of public open space.</td>
</tr>
<tr>
<td>Building facades should be articulated by incorporating a variety of materials, textures and colours that enhance the particular qualities of buildings in the precinct.</td>
<td>To ensure that building façades define the public realm and reflect the form and character of their surrounds.</td>
</tr>
<tr>
<td>Buildings should discourage the use of excessive decoration and historic reproduction detailing.</td>
<td></td>
</tr>
<tr>
<td>Buildings should utilise materials which reflect the natural environment.</td>
<td></td>
</tr>
<tr>
<td>Buildings should avoid the use of bold colours on primary elements.</td>
<td></td>
</tr>
<tr>
<td><strong>Car parking</strong></td>
<td></td>
</tr>
</tbody>
</table>
**General design requirements**

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided. The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages. On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the Centre. Basement car parks should be naturally ventilated wherever possible. Entry and exit points should be located to facilitate safe vehicle and pedestrian movements. All parking areas, including entry and exit points, should be well lit and clearly identified with signage. Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur. Loading facilities should be screened from the public realm. Trees should be used to provide shade in open lot car parking. Water sensitive urban design treatments should be adopted in the design of car parking areas and associated landscaping.</td>
<td>To provide safe and convenient on site car parking that has a minimal visual impact on public places. To ensure that car parking is designed as an integral part of a development.</td>
</tr>
</tbody>
</table>

**Environmental Sustainability**

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developments should maximise use of public and private open space by appropriate orientation and use of hard and soft materials. Building designs should be a minimum of six (6) Star Rating for energy efficiency. Designs should show options for the use of rainwater tanks, solar hot water and heating, grey water usage, etc in both public and private areas. Designs should show provision of orientation, natural ventilation and sun shading devices where possible to limit impact of weather along the northern and western elevations.</td>
<td>To encourage the use of water sensitive design in all public areas, particularly areas of vehicular parking. To limit the use of hard surfaces where possible and encourage the use of permeable paving materials. To maximise use of public and private open space by appropriate orientation and use of hard and soft materials. To achieve building energy efficiency by orientation, natural ventilation and solar access. To reduce the use of potable water usage and encourage the re-use of the developments grey water. To reduce the amount of a building site development devoted to car parking and access in order to minimize land consumption and limit the “heat-island” effect.</td>
</tr>
</tbody>
</table>

**Table 2 to Schedule**

**DDO – Brice Avenue Precinct**

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban Context</strong> New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.</td>
<td>To reinforce the main street as the focus of business and pedestrian activity in the town centre.</td>
</tr>
<tr>
<td>DDO – Brice Avenue Precinct</td>
<td>Design requirement</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td></td>
<td>Building designs should reinforce the existing town character adopting disaggregated building forms, articulated facades, and design detailing that uses lighter materials such as timber.</td>
</tr>
<tr>
<td></td>
<td>Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.</td>
</tr>
<tr>
<td></td>
<td>Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures.</td>
</tr>
<tr>
<td></td>
<td>Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.</td>
</tr>
<tr>
<td></td>
<td>New buildings should be constructed with zero setbacks from the main street frontage.</td>
</tr>
<tr>
<td></td>
<td>Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.</td>
</tr>
<tr>
<td></td>
<td>Reflective and opaque glazing, is discouraged particularly on street frontages.</td>
</tr>
<tr>
<td></td>
<td>New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.</td>
</tr>
<tr>
<td>Building Envelope</td>
<td>Building heights should not exceed 7.5 metres (two storeys). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is setback so as not to be easily discernible from the opposite side of the street.</td>
</tr>
<tr>
<td></td>
<td>Buildings up to 13.5 metres in height (four storeys) may be permitted where the building has a footprint of 3000 square metres or greater.</td>
</tr>
<tr>
<td>Landscape design and open space</td>
<td>Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.</td>
</tr>
<tr>
<td></td>
<td>Established canopy trees should be retained, protected and incorporated into the landscaping of the site.</td>
</tr>
<tr>
<td></td>
<td>Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.</td>
</tr>
<tr>
<td>Car parking</td>
<td>Views of cars on upper level car parks should be screened from the public realm.</td>
</tr>
<tr>
<td></td>
<td>To ensure that car parking is designed as an integral part of a development.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DDO – The Terrace Shopping Centre</th>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Context</td>
<td></td>
<td>To encourage casual surveillance of the park from front gardens and balconies.</td>
</tr>
</tbody>
</table>
### DDO – The Terrace Shopping Centre

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developments should provide active transparent and articulated building edges, avoiding long expanses of blank walls.</td>
<td>To provide a strong active pedestrian edge along Brice Avenue.</td>
</tr>
<tr>
<td>Developments on Brice Avenue should feature verandahs along the frontage to provide a strong active pedestrian amenity along all edges.</td>
<td>To maintain continuity and alignment of the building edge to Brice Avenue to physically define street space.</td>
</tr>
<tr>
<td>Developments should limit the impact of driveways and vehicles by utilizing undercroft or basement parking, and locating parking to the rear of the building where possible.</td>
<td>To encourage pedestrian and bicycle permeability through the site and enhance connections to Hookey Park, village and train station.</td>
</tr>
<tr>
<td>Developments should provide car parking for traders to the rear of the site. Parking should be concealed visually from residential areas and street.</td>
<td>To maintain the vegetated character of the area.</td>
</tr>
<tr>
<td>Developments should provide sufficient room in street frontages, open space and along the interface with Hookey Park for the planting of new canopy trees.</td>
<td></td>
</tr>
<tr>
<td>Developments should provide sufficient room in street frontages for the planting of new canopy trees.</td>
<td></td>
</tr>
</tbody>
</table>

#### Building Envelope

New buildings should not exceed 16.5 metres (5 storeys) above natural ground level.

Developments should provide variation in finish, colour or setback to side and rear walls.

Siting and setback:
- Along Hookey Park – varied offset to allow for both active edges and residential interface.
- Along Brice Avenue – generally build to property line while retaining significant oak tree at corner.
- Along Bathurst Avenue and Charles Street – setback to allow minimum 3m wide landscape buffer.

### Landscape design and open space

Developments should include balconies or terraces in the upper levels that overlook the street below and Hookey Park.

Front fences if required should be low scale (below 1.2 metres in height) and be at least 75% transparent or generally reflect the typical fencing style of the street.

### DDO – Station Car Park Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Form</td>
<td>To provide a strong active pedestrian edge along Manchester Road and the Brushy Creek Reserve.</td>
</tr>
<tr>
<td>New buildings along Manchester Road should include verandahs for pedestrian amenity. Developments should provide pedestrian permeability and connection to the station.</td>
<td>To encourage pedestrian and bicycle permeability through the site and enhance connections to the village and train station.</td>
</tr>
<tr>
<td>Building Envelope</td>
<td>To encourage a vertical mix of uses (e.g. Shop top housing and/or offices over shops).</td>
</tr>
<tr>
<td>New buildings should not exceed 14 metres (4 storeys) above natural ground level.</td>
<td>To reduce the impacts of overlooking and visual bulk.</td>
</tr>
</tbody>
</table>
### DDO – Station Car Park Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developments should recess and articulate upper levels. Avoid a bland, boxy, unarticulated building form.</td>
<td>To limit the dominance of side and rear walls.</td>
</tr>
<tr>
<td>Developments should provide variation in finish, colour or setback to side and rear walls.</td>
<td></td>
</tr>
<tr>
<td>Siting and Setback:</td>
<td></td>
</tr>
<tr>
<td>• Along Manchester Road – build to street frontage.</td>
<td></td>
</tr>
<tr>
<td>• Along Brushy Creek – min. 10 metres setback from top of bank to allow for a 2.5 metre wide shared path and sufficient landscape buffer along the creek corridor.</td>
<td></td>
</tr>
<tr>
<td>• Along railway line – sufficient to allow for a 2.5 metre wide shared path and a 3.5 metre min. width landscape buffer.</td>
<td></td>
</tr>
</tbody>
</table>

### Landscape design and open space

- Landscape should include a majority of local native and indigenous species with only local indigenous species in the Brushy Creek Reserve.
- Developments adjoining public open space should enhance surveillance of the public open space.
- Developments should be sited and designed to retain significant trees where possible.

### DDO – Manchester Road Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Envelope</strong></td>
<td></td>
</tr>
<tr>
<td>Building heights should not exceed 7.5 metres (two storeys). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is setback so as not to be easily discernible from the opposite side of the street.</td>
<td>To ensure that commercial and industrial buildings complement the predominant building form in the area and be of high architectural quality.</td>
</tr>
<tr>
<td>To ensure that building façades define the public realm and reflect the form and character of their surrounds.</td>
<td></td>
</tr>
<tr>
<td><strong>Street pattern and quality</strong></td>
<td></td>
</tr>
<tr>
<td>Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.</td>
<td>To enhance the distinctive built form and streetscape characteristics of the town centre.</td>
</tr>
<tr>
<td>Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures.</td>
<td></td>
</tr>
<tr>
<td>Any larger buildings that are likely to generate significant pedestrian movement should abut the street or be designed to provide a pedestrian connection with the street.</td>
<td></td>
</tr>
<tr>
<td>New buildings should be constructed with zero setbacks from the street frontage.</td>
<td></td>
</tr>
<tr>
<td>Buildings should provide an active interface with the street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.</td>
<td></td>
</tr>
<tr>
<td>Reflective and opaque glazing is discouraged particularly on street frontages.</td>
<td></td>
</tr>
</tbody>
</table>
### DDO – Manchester Road Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.</td>
<td></td>
</tr>
<tr>
<td><strong>Car parking</strong> Views of cars on upper level car parks should be screened from the public realm.</td>
<td>To provide safe and convenient on site car parking that has a minimal visual impact on public places. To ensure that car parking is designed as an integral part of a development.</td>
</tr>
</tbody>
</table>

### DDO Mixed Use Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street pattern and quality</strong> Developments should locate car parking under or behind new buildings. Development on sites with existing car parks fronting main roads should provide improved car park landscaping. Front fences are discouraged in this precinct, however, if required they should be low scale (below 1.2 metres in height) and be at least 75% transparent.</td>
<td>To maintain attractive streetscapes.</td>
</tr>
<tr>
<td><strong>Building Envelope</strong> Buildings should not exceed 11 metres (3 storeys) above natural ground level provided the lot is at least 1500 square metres. If the minimum lot size cannot be met building height should not exceed 9 metres (two storeys) above natural ground level. Buildings should not be setback more than 3.5 metres, allowing for high quality landscape development at the street interface. Side setbacks should be a minimum of 2 metres.</td>
<td>To encourage a vertical mix of uses e.g. commercial and offices with housing in the upper levels. To ensure the scale and form of new buildings does not detract from the existing built character. To provide and maintain a high quality interface with the public realm.</td>
</tr>
<tr>
<td><strong>Building materials</strong> New commercial and mixed-use buildings should incorporate articulated facades, fenestration, parapet treatments and other detailing, and materials which reflect the natural environment. Glazing and roofing materials should have low reflectivity. Developments should avoid the use of bold colours including strong corporate theme colours as a primary element in a design.</td>
<td>To ensure new commercial and mixed-use buildings are of high architectural quality. To utilise materials which reflect the natural environment.</td>
</tr>
<tr>
<td><strong>Landscape design and open space</strong> Developments should ensure that space is available for planting and retention of large trees, and provide a majority of native and indigenous species.</td>
<td>To maintain an attractive town environment with native vegetation as a prominent feature.</td>
</tr>
</tbody>
</table>

### DDO Hookey Park Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban Context</strong> New buildings should incorporate balconies to provide passive surveillance of Hookey Park.</td>
<td>To provide a strong active pedestrian edge along existing residential housing.</td>
</tr>
<tr>
<td>DDO Hookey Park Precinct</td>
<td>Outcome to be achieved</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Design requirement</strong></td>
<td><strong>To provide casual surveillance of public open space.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>To provide a sense of active interaction between Hookey Park and abutting residences.</strong></td>
</tr>
</tbody>
</table>

**Street pattern and quality**

Street frontages and open space should minimise setback while providing sufficient room for the planting of new vegetation.

To limit the impact of driveways along Station Street by blending materials and textures with the main structure.
To maintain an element of natural landscape with visible vegetation.
To maximise the visual relationship between dwellings and the public realm.

**Building Envelope**

Buildings should not exceed 11 metres (3 storeys) above natural ground level provided the lot is at least 1500 square metres, stepping down to existing residential areas. If the minimum lot size cannot be met building height should not exceed 9 metres (two storeys) above natural ground level.

Garages and carports should not be visually intrusive when viewed from the street and should be located behind the rear of the building. Where possible vehicle access should be from the rear of the property.

Siting and setback:
- Along Station Street, front setbacks should be approximately 3.5 metres.
- Along the laneway, front setbacks should be approximately 2.0 metres.
- Along Charles Street, front setbacks should be approximately 3.5 metres.
- Adjacent to existing Charles Street housing, front setbacks should be approximately 3.5 metres.

To ensure the scale and form of new buildings does not excessively detract from the existing built character.
To articulate the form and façade of buildings through the use of materials and colour, and to provide varied rooflines.
To provide space for appropriate landscaping.

**Landscape design and open space**

Developments should provide for front setback vegetation that does not obstruct passive surveillance of Hookey Park.

Front fences if required should be low scale (below 1.2 metres in height) and be at least 75% transparent or generally reflect the typical fencing style of the street. It is desirable to avoid fences in the park setting.

To provide strong garden settings and encourage the use of the garden for casual visual surveillance.
To encourage a mix of communal and private open space.

<table>
<thead>
<tr>
<th>DDO Brushy Creek Precinct</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design requirement</strong></td>
<td><strong>To provide a park interface with residential housing along the Brushy Creek Reserve and the bike path along the rail line.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>To provide for a variety of housing types and sizes and compatible uses such as home offices, etc.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>To provide a strong visual connection to open space and Manchester Road for casual surveillance.</strong></td>
</tr>
</tbody>
</table>

**Urban Context**

Developments should provide articulated building edges, avoiding long expanses of blank walls particularly along pedestrian and bike routes.

Garages and carports should not be visually intrusive when viewed from the front street, being located to the rear of the building.
<table>
<thead>
<tr>
<th>DDO Brushy Creek Precinct</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design requirement</strong></td>
<td><strong>To maintain an attractive streetscape and built form character.</strong></td>
</tr>
<tr>
<td><strong>Building Envelope</strong></td>
<td><strong>To ensure the scale and form of new buildings does not detract from the existing built character.</strong></td>
</tr>
<tr>
<td>Buildings should not exceed 11 metres (3 storeys) above natural ground level provided the lot has an area of at least 1500 square metres, stepping down to existing residential areas. If the minimum lot size cannot be met building height should not exceed 9 metres (two storeys) above natural ground level.</td>
<td><strong>To provide an attractive interface with public land.</strong></td>
</tr>
<tr>
<td>Setback along Manchester Road should be a minimum of 3.5 metres.</td>
<td></td>
</tr>
<tr>
<td>Setback along Brushy Creek should be a minimum of 7.5 metres from top of bank to allow for a 2.5 metre wide shared path and a sufficiently wide landscape buffer.</td>
<td></td>
</tr>
<tr>
<td>Setback along bike path should be a minimum of 3.5 metres.</td>
<td></td>
</tr>
<tr>
<td><strong>Landscape design and open space</strong></td>
<td><strong>To enhance surveillance of users of the public open space.</strong></td>
</tr>
<tr>
<td>New buildings should be sited and designed to retain the existing plane trees and any other significant trees on the site. Developments should provide a majority of native and indigenous species with only local indigenous species in the Brushy Creek Reserve.</td>
<td><strong>To maintain the vegetated character of the area.</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DDO – Winyard Drive Precinct</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design requirement</strong></td>
<td><strong>To create a stronger presence of Brushy Creek in the study area, by strengthening the connections and consequently the township identity between Brushy Creek, abutting areas and the town centre.</strong></td>
</tr>
<tr>
<td><strong>Urban Context</strong></td>
<td><strong>To ensure that commercial buildings complement the predominant building form in the area and be of high architectural quality.</strong></td>
</tr>
<tr>
<td>New development or redevelopment should provide pedestrian access to, and visual interaction with, the Brushy Creek reserve to the rear.</td>
<td></td>
</tr>
<tr>
<td><strong>Building Envelope</strong></td>
<td><strong>To contribute a distinctive built form and streetscape characteristics to the precinct.</strong></td>
</tr>
<tr>
<td>Building heights should not exceed 7.5 metres (two storeys). A third level may be permitted where the fall of the land will allow a building to remain no more than 7.5 metres in height at the Winyard Drive frontage.</td>
<td><strong>To ensure that building façades define the public realm and reflect the form and character of their surrounds.</strong></td>
</tr>
<tr>
<td><strong>Street pattern and quality</strong></td>
<td></td>
</tr>
<tr>
<td>Verandahs should be provided on the street frontage of buildings to provide continuous weather protection. Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures. Any larger buildings that are likely to generate significant pedestrian movement should abut the street. New buildings should be constructed with zero setbacks from the Winyard Drive frontage. Buildings should provide an active interface with the street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.</td>
<td></td>
</tr>
</tbody>
</table>
DDO – Winyard Drive Precinct

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reflective and opaque glazing is discouraged particularly on street frontages.</td>
<td></td>
</tr>
</tbody>
</table>

DDO Precincts
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

CHIRNSIDE PARK ACTIVITY CENTRE

1.0

Design objectives

To promote high-quality development that makes a positive contribution to the appearance and operation of the activity centre.

To create a boulevard landscape incorporating a pedestrian and bicycle trail along the Maroondah Highway.

To protect the amenity of adjoining areas of existing residential development.

To integrate new development with development on adjoining sites within the activity centre.

To encourage the adoption of Environmentally Sustainable Design techniques in new development.

To promote development that contributes to safe, accessible and vibrant public places.

2.0

Buildings and works

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

Buildings and works should comply with the requirements specified in Table 1 and Table 2 to this Schedule. A permit may be granted to construct a building or carry out works which are not in accordance with the requirements of Table 1 and Table 2 provided the design objectives and outcomes to be achieved as specified in Table 1 and Table 2 of this Schedule are satisfied.

Storey

For the purpose of interpreting the design requirements in the tables to this Schedule ‘storey’ does not include a basement.

In calculating the building height based on storeys the following floor to floor dimensions should apply:

- 4.5 metres for ground level
- 3.3 metres for upper levels.

Exemplary design

For the purpose of interpreting the design requirements in the tables to this Schedule ‘exemplary design’ means a building which:

- Satisfies the design objectives of this Schedule and achieves to the highest standard the relevant design outcomes set out in Tables 1 and 2 of this Schedule

- Meets the highest industry standard of environmentally sustainable design (ESD) as documented in a report detailing ESD techniques that is submitted with a planning permit application.
Subdivision
No content

Advertising signs
Specific requirements relating to advertising signs are contained in Clause 22.04 (Local Planning Policy Advertising Signs).

Application requirements
A development application should be accompanied by:

- An assessment detailing how the design of the proposed development responds to the design objectives, design requirements and outcomes to be achieved as specified in this schedule.
- Three dimensional illustrations showing the proposed development in the context of the surrounding buildings in the Activity Centre.
- Details of any effect a building or works may have on adjoining residential properties or public places.
- A report detailing how Environmentally Sustainable Design techniques such as energy and water conservation, waste minimisation, vegetation retention and promotion of alternative transport options have been incorporated in the proposed development.
- A Traffic Report which must include an assessment of:
  - The impact of traffic generated by the development on the surrounding road network
  - Measures required to address any adverse traffic impacts
  - The design concepts for any proposed site access road or intersection with the Maroondah Highway
  - Car parking to be provided on the site
  - The internal bicycle and pedestrian paths network and their connectivity with the external community.
- A Landscape Concept Plan detailing:
  - Key landscape design principles for any public places including streets, parkland, car parking areas
  - Opportunities for creating significant tree canopy throughout the site
  - The provision and management of any open space with pedestrian and bicycle links.
- A signage strategy detailing:
  - The provision for business signs on proposed buildings
  - The design and location of directional signage and free standing business signage

If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

Decision guidelines
Before deciding on an application the responsible authority must consider:

- The design objectives of this Schedule;
- Whether the proposal achieves the design requirements and the outcomes contained in the relevant tables of this Schedule.
**General design requirements**

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building appearance</strong></td>
<td>New development comprises buildings of high architectural quality that positively contribute to the form, character and identity of Chirnside Park.</td>
</tr>
<tr>
<td>New development should:</td>
<td></td>
</tr>
<tr>
<td>- Adopt high quality contemporary architecture and be articulated through the use of varied colours, materials, setbacks and openings.</td>
<td></td>
</tr>
<tr>
<td>- Use colours that complement those occurring in the natural environment with minimal use of accent colours.</td>
<td></td>
</tr>
<tr>
<td>- Be designed to step down natural slopes to minimise visual bulk and limit the need for excavation.</td>
<td></td>
</tr>
<tr>
<td>- Adopt an appropriate balance of cladding materials, avoiding excessive use of glass or heavy materials such as concrete.</td>
<td></td>
</tr>
<tr>
<td>- Provide appropriate facilities for the storage, collection and recycling of waste materials, and screen them from public view.</td>
<td></td>
</tr>
<tr>
<td><strong>Interface with public places</strong></td>
<td>The safety and amenity of public places is enhanced and levels of pedestrian activity are increased.</td>
</tr>
<tr>
<td>New development should:</td>
<td>Buildings relate positively and add life to adjacent public places.</td>
</tr>
<tr>
<td>- Be designed so the frontage and internal layout of the ground floor provides visual and physical links between the building and the street.</td>
<td>Building frontages provide for passive surveillance and security of public places.</td>
</tr>
<tr>
<td>- Provide pedestrian entrances into buildings that are at the same level as the footpath, clearly visible from the street, well lit, and allow for mobility-impaired access.</td>
<td></td>
</tr>
<tr>
<td>- Actively address both frontages of corner sites and ensure that the corner allows for safe and comfortable pedestrian movement.</td>
<td></td>
</tr>
<tr>
<td>- Provide verandahs for pedestrian weather protection along frontages to streets where zero setbacks are required.</td>
<td></td>
</tr>
<tr>
<td>- Provide passive surveillance of adjoining public places through design elements such as the inclusion of overlooking windows and balconies, location of outdoor dining areas and the provision of pedestrian access links.</td>
<td></td>
</tr>
<tr>
<td>- Avoid expanses of blank walls to streets or other public places.</td>
<td></td>
</tr>
<tr>
<td>- Not significantly overshadow adjoining public places.</td>
<td></td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td>Landscaping is integrated with new development and complements the landscaping of any adjoining public places.</td>
</tr>
<tr>
<td>Frontage setbacks are to be landscaped with vegetation that allows views between the dwelling and the street.</td>
<td></td>
</tr>
<tr>
<td>Landscaping within streets should incorporate Water Sensitive Urban Design principles.</td>
<td></td>
</tr>
<tr>
<td>New development should provide for consistent avenue tree planting along the abutting streets.</td>
<td></td>
</tr>
<tr>
<td>Species selection should predominantly comprise locally indigenous and other native species.</td>
<td></td>
</tr>
</tbody>
</table>
General design requirements

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcome to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Access and parking</strong></td>
<td>Traffic movement is convenient, safe and efficient. Car parking and access ways are safe, practical, visually unobtrusive and do not conflict with pedestrian movement.</td>
</tr>
<tr>
<td>Car parking associated with new development should:</td>
<td></td>
</tr>
<tr>
<td>- Minimise the number of additional access points on to Maroondah Highway.</td>
<td></td>
</tr>
<tr>
<td>- Be located and designed to minimise the visual impact on the streetscape and adjoining public places.</td>
<td></td>
</tr>
<tr>
<td>- Not be provided between the front of the building and the street.</td>
<td></td>
</tr>
<tr>
<td>- Be provided in basement or undercroft areas wherever feasible, to maximise useable floor space in the activity centre.</td>
<td></td>
</tr>
<tr>
<td>- Provide natural ventilation for any basement car parks.</td>
<td></td>
</tr>
<tr>
<td>- Be designed so that views of cars on upper levels and loading facilities are screened from public places.</td>
<td></td>
</tr>
<tr>
<td>- Be well lit and clearly identified with appropriate signage.</td>
<td></td>
</tr>
<tr>
<td>- Be landscaped with trees that provide shade in open lot car parks and incorporate Water Sensitive Urban Design principles.</td>
<td></td>
</tr>
<tr>
<td>Vehicle access associated with new development should be:</td>
<td></td>
</tr>
<tr>
<td>- Located to minimise the number of vehicle crossovers to streets and where feasible be provided from laneways or secondary street frontages.</td>
<td></td>
</tr>
<tr>
<td>- Located to facilitate safe vehicle and pedestrian movements.</td>
<td></td>
</tr>
<tr>
<td>- Separated from pedestrian access points.</td>
<td></td>
</tr>
<tr>
<td>Internal access roads are to be of sufficient width to accommodate through traffic, pedestrian and cycling paths, on street parking, and avenue style landscaping with canopy trees.</td>
<td></td>
</tr>
</tbody>
</table>

Table 2 to Schedule 11

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcomes to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DDO11.1 – Town Centre Precinct</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Building height</strong></td>
<td>The Town Centre is reinforced as the main focus of pedestrian oriented retail and entertainment activity. The height of new development contributes to a pedestrian scale character that encourages activity at street level. A sense of openness to the sky is retained Adequate daylight is available for the healthy growth of substantial street trees. A compatible interface is created with adjoining residential areas. A distinctive landscaped boulevard character is created along the Maroondah Highway. A sense of entry to the town centre is created at the key intersection of Maroondah Highway and Kimberley Drive.</td>
</tr>
<tr>
<td>13.5 metres (4 storeys)</td>
<td></td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td></td>
</tr>
<tr>
<td>Maroondah Highway frontage-</td>
<td></td>
</tr>
<tr>
<td>25 metres from road pavement of through traffic lanes in the Maroondah Highway.</td>
<td></td>
</tr>
<tr>
<td>Kimberley Drive-</td>
<td></td>
</tr>
<tr>
<td>12 metres from road pavement</td>
<td></td>
</tr>
<tr>
<td>View Point Drive / El Centro-</td>
<td></td>
</tr>
<tr>
<td>5 metres</td>
<td></td>
</tr>
<tr>
<td>An upper level setback of at least 2 metres from the frontage to Kimberley Drive (north of Black Springs Road), View Point Drive and El Centro, is required for any development above 2 storeys.</td>
<td></td>
</tr>
</tbody>
</table>
### DDO11.1 – Town Centre Precinct

**Design requirement**

**Public/Private interface**

New development should:

- Improve pedestrian connectivity with surrounding precincts.
- Provide for the redevelopment of a public transport interchange that services the wider activity centre.
- Create active frontages to Kimberley Drive and the ‘Green Spine’ landscaped pedestrian and bicycle trail.
- Be landscaped in a form that complements the ‘Green Spine’.
- Include narrow shopfronts facing Kimberley Drive opposite the Urban Park.
- Create a broad 12 metres wide footpath on the eastern side of Kimberley Drive south of Black Springs Road.
- In the case of the ground floor level of buildings fronting the Maroondah Highway, match the natural ground level for the majority of the frontage.
- Provide cantilevered awnings to Kimberley Drive south of Black Springs Road which extend over the footpath for a distance of 2.5 metres. Awnings are to be of consistent height.

**Design requirements for key site**

Redevelopment of the shopping centre should create visually interesting frontages to adjoining streets.

New development fronting the intersection of Maroondah Highway and Kimberley Drive should:

- adopt exemplary design standards;
- be designed to emphasise the corner location with elements such as additional building height up to 6 storeys and 19.5 metres, varied roof forms, changes in materials and projected and recessed elements in the facades.

### DDO11.2 – Maroondah Highway frontage sites

**Design requirement**

**Building height**

13.5 metres (4 storeys)

**Setbacks**

25 metres from road pavement of through traffic lanes in the Maroondah Highway.

An upper level setback of at least 2 metres for any development above 2 storeys.

**Public/Private interface**

New development should:

- Be landscaped in a form that complements the ‘Green Spine’ landscaped pedestrian and bicycle trail.

**Outcomes to be achieved**

A well defined pedestrian pathway and associated outdoor dining opportunities is created in Kimberley Drive to link the town centre with the Lacola site to the south. Opportunities are retained for views across the activity centre from adjoining areas.

A distinctive landscaped boulevard character is created along the Maroondah Highway. New buildings create an appropriate interface with adjoining development. The height of new development contributes to a pedestrian scale character that encourages activity at street level. A sense of openness to the sky is retained.

Adequate daylight is available for the healthy growth of substantial street trees. Development at the key intersection of Maroondah Highway and Fletcher Road contributes to a sense of entry to the town centre.
### DDO11.2 – Maroondah Highway frontage sites

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcomes to be achieved</th>
</tr>
</thead>
</table>
| ● Provide active frontages to the ‘Green Spine’.  
● The ground floor level of buildings fronting the Maroondah Highway should match the natural ground level for the majority of the frontage. | Opportunities are retained for views across the activity centre from adjoining areas. |

**Design requirements for key site**

New development fronting the intersection of Maroondah Highway and Fletcher Road should:

- adopt exemplary design standards;
- be designed to emphasise the corner location with elements such as additional building height up to 19.5 m (6 storeys), varied roof forms, changes in materials and projected and recessed elements in the facades.

---

### DDO11.3 Fletcher Road frontage sites

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcomes to be achieved</th>
</tr>
</thead>
</table>
| **Building height**  
*For mixed use development* –  
13.5 metres (4 storeys) with up to 19.5 metres (6 storeys) permissible for developments that adopt exemplary design standards.  
*For residential development* –  
4 storeys (12.0 metres) | Development along Fletcher Road contributes to a street environment that encourages pedestrian activity.  
The height of new development contributes to a pedestrian scale character that encourages activity at street level.  
A sense of openness to the sky is retained  
Adequate daylight is available for the healthy growth of substantial street trees.  
A compatible interface is created with adjoining residential areas.  
Opportunities are retained for views across the activity centre from adjoining areas. |
| **Setbacks**  
*For mixed use development* –  
Zero setback at ground floor level  
An upper level setback of at least 2 metres for any development above 2 storeys.  
*For residential development*  
2.5 metres at ground floor level  
An upper level setback of at least 2 metres should be provided above the second storey. |  |
| **Public/Private interface**  
New development should:  
● Provide active frontages to Fletcher Road.  
● Complement the ‘Green Spine’ landscaped pedestrian and bicycle trail and its associated landscaping.  
● Provide active frontages to the ‘Green Spine’.  
● The ground floor level of buildings fronting the Maroondah Highway should match the natural ground level for the majority of the frontage. |  |

---

### DDO11.4 Industrial sites

<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcomes to be achieved</th>
</tr>
</thead>
</table>
| **Building height**  
10.5 metres (3 stories) | A distinctive landscaped boulevard character is created along the Maroondah Highway. |
<table>
<thead>
<tr>
<th>Design requirement</th>
<th>Outcomes to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
<td>New development is integrated with the Brushy Creek wetlands to create a sense of entry to the activity centre. New buildings create a compatible interface with adjoining residential development. Opportunities are retained for views across the activity centre from adjoining areas.</td>
</tr>
<tr>
<td>25 metres from Maroondah Highway road pavement of through traffic lanes in the Maroondah Highway. 15 metres from the adjoining Brushy Creek reserve. 15 metres from land in a Residential Zone.</td>
<td></td>
</tr>
<tr>
<td><strong>Public/private interface</strong></td>
<td></td>
</tr>
<tr>
<td>Avoid large bland structures that visually dominate the southern approach into the activity centre. New development should be designed and landscaped in a form that:</td>
<td></td>
</tr>
<tr>
<td>- Complements the ‘Green Spine’ landscaped pedestrian and bicycle trail.</td>
<td></td>
</tr>
<tr>
<td>- Provides an unobtrusive backdrop to the Brushy Creek wetland and recreational trail.</td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE 12 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO12.

TOWN CENTRES - HEALESVILLE, MONBULK, SEVILLE, WARBURTON, YARRA GLEN AND YARRA JUNCTION

1.0

Character statement

These town centres will be dominated by a main street that retains a classic and attractive country town character. The built form of new development will reinforce this character and retain the distinctive features associated with the historic development of the town, including established trees and views to rural features such as nearby wooded hills or farmland.

2.0

Design objectives

- To enhance the distinctive built form and streetscape characteristics of the town centre.
- To reinforce the main street as the focus of business and pedestrian activity in the town centre.
- To maintain visual links between the town centre and its rural hinterland.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0

Buildings and works not requiring a permit

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0

Design requirements

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

Town centre character

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- Building heights should not exceed two storeys (7.5 metres). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street.

For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

- New development should complement the character and appearance of existing heritage buildings.
• Views from the main street to surrounding hills, trees and other rural landscape elements should be retained.

• Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.

• Building facades should be articulated by incorporating a variety of materials, textures and colours that enhance the particular qualities of buildings in the town centre.

• The facades of new development on corner lots should be detailed to provide visual interest from both streets.

• Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

• Building designs should reinforce a rural town character adopting disaggregated building forms, articulated facades, and design detailing that uses lighter materials such as timber.

• Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures.

• Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.

• Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.

• All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

Landscaping

• Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.

• Established canopy trees should be retained, protected and incorporated into the landscaping of the site.

• Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.

Interface with public places and residential areas

• New buildings should be constructed with zero setbacks from the main street frontage.

• Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.

• Reflective and opaque glazing is discouraged particularly on street frontages.

• Buildings should avoid large expanses of blank walls particularly at street level.

• New crossovers and car parking between a building and its frontage are discouraged.

• New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.

• Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.

• Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

• Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.
Car park design

- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the Centre.
- Basement car parks should be naturally ventilated wherever possible.
- Views of cars on upper level car parks should be screened from the public realm.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

Subdivision

No content

Advertising signs

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

Application requirements

A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.
- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.
- If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

8.0
19/06/2014
C126

Decision guidelines

Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:

- The design objectives of this schedule;
- Whether the proposal meets the design requirements of this schedule.

9.0
19/06/2014
C126

Reference document

SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13.

TOWN CENTRES - BELGRAVE SOUTH, COLDSTREAM, MONTROSE, UPWEY, WANDIN NORTH AND WOORI YALLOCK.

1.0

Character statement

These town centres will retain the appearance of a small rural or foothills town focussed on an informal main street. They will comprise a cluster of shops and other commercial buildings with a modest built form profile. The most dominant and attractive characteristic of the town centre will be its landscape setting of established trees with views to rural features such as nearby wooded hills or farmland.

2.0

Design objectives

- To create a distinctive identity for the town centre that reflects its established built form and streetscape characteristics.
- To reinforce the main street as the focus of business and pedestrian activity.
- To maintain views to nearby trees and other rural features as a dominant characteristic of the town centre.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0

Buildings and works not requiring a permit

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0

Design requirements

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

Town centre character

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- The height and bulk of new development should maintain the visual dominance of views to surrounding hills, trees and other rural landscape elements.
- Building heights should not exceed two storeys (7.5 metres).

For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.
In Upwey, within the area located east of the intersection of Main Street and Mahony Street, a third level may be permitted where the upper level of the building is set back so that it will not be easily discernible from the opposite side of any adjoining street.

Buildings should abut their front boundary unless a greater setback is a positive feature of the town centre.

New development should complement the character and appearance of existing heritage buildings.

Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.

The facades of new development on corner lots should be detailed to provide visual interest from both streets.

Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

Informal landscaping should be provided to filter views from adjoining streets, parks and residential properties.

Contemporary design is preferred, although it should complement the scale and detail of existing buildings in the town centre, draw from any traditional building forms in the town centre and harmonise with the surrounding landscape.

All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

**Interface with public places and residential areas**

- Buildings should be constructed with zero setbacks from the main street frontage.
- Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.
- Reflective and opaque glazing is discouraged particularly on street frontages.
- Buildings should avoid large expanses of blank walls particularly at street level.
- Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.
- New crossovers and car parking between a building and its frontage are discouraged.
- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.
- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.
- Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.
- Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

**Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.
- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.
- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.
- Landscape design should avoid the use of formal structures, hard surfaces and hard edges.

**Car park design**
- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Vehicle access points should be separate from pedestrian access points.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

**Subdivision**

No content

**Advertising signs**

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- The size and number of signs should be kept to a minimum.
- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

**Application requirements**

A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:
- A description of the predominant neighbourhood and streetscape character and explanation of how this character has influenced the siting, form, massing and design of the proposed building.

- Details of any effect the proposed building may have on views to the surrounding landscape features.

- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.

- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.

- If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

### Decision guidelines

Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:

- The design objectives of this schedule;

- Whether the proposal meets the design requirements of this schedule.

### Reference document

*Vision 2020 by Design – Shire of Yarra Ranges (May 2008)*
SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO14.

TOWN CENTRES - KALLISTA, MOUNT DANDENONG, OLINDA, SASSAFRAS AND TECOMA.

1.0 Character statement

The town centres in the Dandenong Ranges will continue to comprise informal collections of buildings, small in scale and somewhat irregularly spaced and aligned. They will retain their distinctive appearance as a cluster of buildings in a forest, rather than a ‘wall to wall’ urban environment. They will continue to sit comfortably in a landscape dominated by the tall trees, lush vegetation and hilly topography of their surrounds.

2.0 Design objectives

- To reinforce the distinctive built form, streetscape and landscape character of the town centre.
- To ensure that buildings within the town centre remain visually dominated by the surrounding vegetation and landscape.
- To encourage simple contemporary design which draws from the traditional building forms in the town centre and harmonises with the surrounding landscape.
- To reinforce the main street as the focus of business and pedestrian activity in the town centre.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0 Buildings and works not requiring a permit

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0 Design requirements

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

Town centre character

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- The siting and setbacks of new buildings should reflect the generally established spacing of buildings in the town centre and to maintain views to background vegetation.
- Buildings that are important to the character of the town centre should be retained and incorporated into new development.
- Building heights should not exceed a height of two storeys (7.5 metres).
- For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

- New buildings should adopt, in a contemporary style, classic Dandenongs design themes that incorporate elements such as timber and natural materials, asymmetrical design, wide span pitched rooflines and front gables.

- Verandahs should be provided on the street frontage of buildings to provide weather protection.

- Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

- Buildings and works that comprise drive through sales facilities are discouraged.

- The massing of larger buildings should be articulated through design treatments including the use of openings, different materials, textures and colours.

- The design of new buildings should relate to the topography of sloping sites and minimise the extent of earthworks.

- All roof-mounted mechanical equipment must be concealed by screens that are designed to be an integral part of the building design.

**Interface with public places and residential areas**

- New buildings should be constructed with zero setbacks from the main street frontage.

- Any larger buildings that are likely to generate significant pedestrian movement should abut the main street.

- Buildings should provide an active interface with the main street and provide passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.

- Reflective and opaque glazing is discouraged particularly on street frontages.

- Buildings should avoid large expanses of blank walls particularly at street level.

- New crossovers and car parking between a building and its main street frontage are discouraged.

- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.

- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.

- Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the appearance of abutting public places.

- Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

**Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.

- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.

- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.

- Landscape design should avoid the use of formal structures, hard surfaces and hard edges.
Car park design

- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Vehicle access points should be separate from pedestrian access points.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas.

Subdivision

No content.

Advertising signs

Advertising sign controls are at Clause 52.05-9 - Category 3 – High Amenity Areas. In addition to the requirements of that Clause the following requirements apply.

- The size and extent of signs should be kept to a minimum.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

Applications requirements

A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.
- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.

If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

8.0

Decision guidelines

Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:

- The design objectives of this schedule;
- Whether the proposal meets the design requirements of this schedule.

9.0

Reference document

SCHEDULE 15 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

BELGRAVE TOWN CENTRE

1.0

**Character statement**

This overlay applies to the Belgrave Town Centre.

The Belgrave town centre will continue to be dominated by its winding main street lined by an informal collection of predominantly narrow fronted shop buildings. It will continue to sit comfortably in a hills landscape dominated by the tall trees, lush vegetation and steeply sloping topography of its surroundings. The built form of new development will reinforce this hills town character and retain the distinctive features associated with the historic development of Belgrave.

2.0

**Design objectives**

- To enhance the distinctive built form and streetscape characteristics of the Belgrave town centre.
- To reinforce Burwood Highway as the main street and the focus of business and pedestrian activity in the town centre.
- To create stronger pedestrian links between the main street and the Puffing Billy Railway.
- To encourage the redevelopment of key sites in a form that will improve the appearance and range of activities in the town centre.
- To maintain visual links between the town centre and the surrounding hills.
- To protect and enhance the amenity of public places within the town centre and adjoining residential areas.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0

**Buildings and works not requiring a permit**

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0

**Design requirements**

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

**Town centre character**

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- Building heights should not exceed two storeys (7.5 metres). A third level may be permitted on key redevelopment sites where the overall height of the building will be set back so as not to be easily discernible from the opposite side of the street.
For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

New development should complement the character and appearance of existing heritage buildings.

Views from the main street to surrounding hills should be retained.

Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.

Building facades should be articulated by incorporating a variety of materials, textures and colours that enhance the particular qualities of buildings in the town centre.

The facades of new development on corner lots should be detailed to provide visual interest from both streets.

Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

Building designs should reinforce a hills town character of Belgrave adopting disaggregated building forms, articulated facades, and design detailing that uses lighter materials such as timber.

Buildings and works that comprise drive through sales facilities are discouraged.

Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.

Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.

All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

**Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.
- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.
- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.

**Interface with public places and residential areas**

- New buildings should be constructed with zero setbacks from the street frontage.
- Buildings should provide an active interface with Burwood Highway and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.
- Development at the rear of lots fronting the north west side of Burwood Highway should be designed to provide passive surveillance and active frontages wherever practical, to the adjoining Alexanders public car park.
- Buildings on the south eastern side of Burwood Highway are encouraged to activate the frontage to Blacksmiths Way at the rear of the site.
- Reflective and opaque glazing is discouraged particularly on street frontages.
- Buildings should avoid large expanses of blank walls particularly at street level.
- New crossovers and car parking between a building and its frontage are discouraged.
- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.

- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.

- Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

- Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.

**Car park design**

- Car parking should be designed as an integral part of a development.

- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.

- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.

- On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the town centre.

- Basement car parks should be naturally ventilated wherever possible.

- Views of cars on upper level car parks should be screened from the public realm.

- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.

- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.

- All car parks, including entry and exit points, should be well lit and clearly identified with signage.

- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.

- Loading facilities should be screened from the public realm.

- Trees should be used to provide shade in open lot car parks.

- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

**Design guidelines for key redevelopment sites**

These guidelines apply in addition to those in Section 4.0 of this Schedule. If there is an inconsistency between the site specific provisions in this section and those in Section 4.0, the site specific provisions prevail.

**Nos. 2-14 Monbulk Road (Belgrave Motors Site)**

The design objective for this site is to create a landmark development that enhances the appearance and operation of the northern entry to the town centre.

Any new development should:

- Utilise the sloping site to create a multi level development with under cover parking below the street level.
- Not exceed a height of three storeys (10.5 metres) above the pavement level of Monbulk Road. Buildings above this height may be permitted where the upper levels are not easily discernible from the opposite side of adjoining streets and where the other design requirements of this schedule are met.
- Retain views across the site from the public park opposite the subject land, and from the Burwood Highway south of its intersection with Blacksmiths Way, to the treed ridgelines that provide a visual backdrop to the town centre.
- Design building frontage setbacks to address the street frontages, whilst also providing for variation as necessary to accommodate landscaping, pedestrian areas, and to provide for articulation of the built form.
- Provide active frontages to both Monbulk Road and Belgrave Gembrook Road.
- Facilitate pedestrian movement between the Puffing Billy Railway Station and the main street.
- In the design of the east elevation of buildings on the site:
  - incorporate features that enhance the appearance and reduce the perception of visual bulk when viewed from Puffing Billy railway station
  - provide opportunities for passive surveillance of the station area from within the development.

**No. 1629 Burwood Highway (Existing supermarket market site)**

The design objectives for this site are to:
- Provide for its redevelopment in a form that increases the commercial floor area.
- Enhance the appearance and safety of the main street frontage and the public land adjoining its rear boundary.

Any new development should:
- Utilise the sloping site to create a multi level development with under cover parking at the rear of the site.
- Create active frontages to the Burwood Highway frontage and to the Alexanders public car park at the rear of the site.
- Provide a pedestrian link between Burwood Highway and the Alexanders public car park.
- Not exceed a height of 10.5 metres (three storeys) above Burwood Highway street level, with the third storey being setback so that it is not visible from the adjoining street frontage.

**Nos. 1634-1638 Burwood Highway (Hayes Public Car Park)**

The design objective for this site is to provide for the more intensive development of the existing car park in a form that makes a positive contribution to the main street character of the town centre. Any new development should:
- Utilise the topography of the site to create a multi level development with under cover parking at the lower level.
- Include shop front style floor space on the Burwood Highway frontage in a form that contributes to the continuity of the streetscape.

**Subdivision**

No content
7.0 Advertising signs
All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

8.0 Application requirements
A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.
- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.
- If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

9.0 Decision guidelines
Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:

- The design objectives of this schedule;
- Whether the proposal meets the design requirements of this schedule.

10.0 Reference document
Belgrave Town Centre Study – Shire of Yarra Ranges (April 2010)
1.0 Character statement
The existing Kilsyth town centre is disjointed, comprising two separate supermarket developments with a generally unattractive presentation to adjoining public spaces. New development will contribute to the integration of the two supermarket sites and other commercial developments to form a single centre that provides strong links to the adjoining parklands and an attractive interface with surrounding streets.

2.0 Design objectives
- To create a cohesive and attractive town centre.
- To encourage additional outdoor pedestrian activity in the town centre.
- To improve linkages between the town centre and the adjoining parkland.
- To protect and enhance the amenity of public places and residential areas within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0 Buildings and works not requiring a permit
A permit is not required for:
- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0 Design requirements
All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

Town centre character
- Any future redevelopment of the lots located between the two supermarket complexes should contribute to improved access and integration between those complexes.
- New development that is likely to generate significant pedestrian movement should abut Mount Dandenong Road or be designed to provide a pedestrian connection with that road.
- Building heights should not exceed two storeys (7.5 metres). A third level may be permitted where this will not interrupt views of the hills or the vegetated backdrop from the main public areas of the centre.

For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.
• Views from the town centre to surrounding hills, trees and other landscape elements should be retained.

• Verandahs should be provided on the frontage of buildings to provide continuous weather protection for pedestrians.

• Building facades should be articulated by incorporating a variety of materials, textures and colours.

• The facades of new development on corner lots should be detailed to provide visual interest from both streets.

• Long blank walls facing street frontages should be avoided by incorporating, wherever possible, retail premises that abut the blank sides of such structures.

• Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

• Contemporary design that incorporates a scale and external detailing that encourages outdoor pedestrian activity in the town centre is preferred.

• All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

**Landscaping**

• Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.

• Established canopy trees should be retained, protected and incorporated into the landscaping of the site.

• Additional canopy trees should be planted along the Mount Dandenong Road frontage and within open car parking areas, wherever practical, to provide shade and visual interest.

**Interface with public places and residential areas**

• Buildings should provide an active interface with Mount Dandenong Road and Colchester Road and passive surveillance to all abutting streets using techniques such as clear glazed windows.

• New buildings along the Mount Dandenong Road frontage should be setback a sufficient distance to provide for the planting and healthy growth of canopy trees.

• New development abutting the Kilsyth Recreation Reserve should, wherever practicable, be designed to provide passive surveillance and improved pedestrian access to the adjoining parkland.

• Reflective and opaque glazing is discouraged particularly on street frontages.

• Buildings should avoid large expanses of blank walls particularly at street level.

• New crossovers and car parking between a building and its frontage are discouraged.

• New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.

• Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.

• Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

• Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.
**Car park design**

- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the town centre.
- Basement car parks should be naturally ventilated wherever possible.
- Views of cars on upper level car parks should be screened from the public realm.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

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**Subdivision**

No content

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**Advertising signs**

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

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**Application requirements**

A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.
- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.
- If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

8.0
19/06/2014
C126

Decision guidelines
Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:
- The design objectives of this schedule;
- Whether the proposal meets the design requirements of this schedule.

9.0
19/06/2014
C126

Reference document
SCHEDULE 17 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO17.

MIXED USE AREAS – COLDSTREAM, WOORI YALLOCK AND YARRA JUNCTION

1.0 Character statement

These mixed use areas will contribute to the appearance of a rural town focussed on an informal main street. They will comprise predominantly residential buildings with some opportunities for commercial development. These buildings will adopt a modest built form profile. They will positively contribute to the appearance of the adjoining town centre in which the most dominant and attractive characteristic will be its landscape setting of established trees with views to rural features such as nearby wooded hills or farmland.

2.0 Design objectives

- To contribute to a distinctive identity for the town centre that reflects its established built form and streetscape characteristics.
- To increase residential density and to provide for a range of housing types.
- To reinforce the main street as the focus of business and pedestrian activity.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.
- To maintain views to nearby trees and the rural hinterland as a dominant feature of the town centre.

3.0 Buildings and works not requiring a permit

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground 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.

4.0 Design requirements

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

Town centre character

- Setbacks from the street boundary should be no less than the lesser setback of the buildings on any adjoining lots.
- Where there are no buildings on adjoining lots the following setbacks should be applied:
  - For commercial development fronting the main street - no setback
  - For residential development fronting the main street - 6 metres
  - For any development fronting any other street - 6 metres.
New development should contribute to a rural town centre character with fragmented building forms and articulated facades.

- Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.

- Building heights should not exceed two storeys (7.5 metres).

- For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

- In Woori Yallock, in the area north of the intersection of Symes Road and Healesville – Koo Wee Rup Road, a third level may be permitted where the upper level of the building is set back so as not to be easily discernible from the opposite side of any adjoining street or from the adjoining land.

- The height and bulk of new development should maintain the visual dominance of views to surrounding hills, trees and other rural landscape elements.

- The upper level of developments should be recessed and articulated to reduce the dominance of the upper level and the impacts of overlooking and visual bulk.

- New development should complement the character and appearance of existing heritage buildings.

- Verandahs should be provided on the street frontage of commercial buildings to provide continuous weather protection.

- The facades of new development on corner lots should be detailed to provide a sense of address to both streets.

- On sloping sites development should follow the natural contours and step down the site to minimise visual impact and reduce the need for excavation.

- Where construction of buildings with an urban character or large expanses of hard surfaces are unavoidable, extensive informal landscaping should be provided to filter views from adjoining streets, parks and residential properties.

- Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.

- All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

**Interface with public places and residential areas**

- Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.

- Reflective and opaque glazing is discouraged particularly on street frontages.

- Buildings should avoid large expanses of blank walls particularly at street level.

- Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.

- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.

- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.
Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.

Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.

**Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.
- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.
- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.
- Landscape design should avoid the use of formal structures, hard surfaces and hard edges.

**Car park design**

- Car parking should be designed as an integral part of a development.
- Car parking between the front of the building and the street should generally be avoided, and garages and car ports associated with new developments should not be visually intrusive when viewed from the street.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Vehicle access points should be separate from pedestrian access points.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

**Subdivision**

No content

**Advertising signs**

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- The size and number of signs should be kept to a minimum.
- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.

Signs should not be located on the roof of a building or extend above the parapet of the building.

Animated signs are discouraged.

Visual clutter associated with signs should be avoided.

### Application requirements

A development application must be accompanied by a report explaining how the proposal responds to the design objectives and requirements of this overlay. The report should include:

- A description of the predominant neighbourhood and streetscape character and explanation of how this character has influenced the siting, form, massing and design of the proposed building.
- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.
- If in the opinion of the responsible authority the need to provide the above information is not relevant to the evaluation of an application, it may waive or reduce the requirement.

### Decision guidelines

Before deciding on an application, the responsible authority must consider in addition to the matters set out in Clause 65, as appropriate:

- The design objectives of this schedule;
- Whether the proposal meets the design requirements of this schedule.

### Reference document

*Vision 2020 by Design – Shire of Yarra Ranges (May 2008)*
DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.
SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1.

MATER CHRISTI COLLEGE, BELGRAVE

1.0

Requirements for development plan

The development plan must relate to the use and development of the land and include:

- Existing and proposed numbers of staff and students.
- Existing and proposed development of the land.
- Staging and timing of proposed development.
- Height and massing of all proposed buildings.
- Proposed landscaping of the land.
- Existing and proposed use of all parts of the land.
- Existing and proposed provision for access, car parking and traffic management.
- Measures to address the interface of the land with adjoining land.
- Existing and proposed drainage infrastructure.
- Measures necessary to appropriately manage slope and soil stability.

Notice of any amendment to the Development Plan must be undertaken to the satisfaction of the responsible authority. The responsible authority should take into account any comments received when considering the development plan or any amendment to the plan.
SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3.

OAKHAVEN RESIDENTIAL ESTATE, CHIRNSIDE PARK

1.0

Requirement before a permit is granted

A permit may be granted to carry out earthworks or to remove, destroy or lop native vegetation before a development plan has been prepared to the satisfaction of the responsible authority.

2.0

Conditions and requirements for permits

Any permit granted for subdivision must contain conditions requiring the delineation of three dimensional building envelopes on each lot created. The building envelope must show:

- An 8 metre rear boundary setback for lots which abut an existing residential property that is not part of the development allowed by the permit.
- Side boundary setbacks of 2 metres for lots which abut an existing residential property that is not part of the development allowed by the permit.
- The maximum height of buildings, having consideration to view lines from existing residential properties that are not part of the development allowed by the permit.

3.0

Decision guidelines for permits

Before deciding on an application, the responsible authority must consider:

- The provisions and requirements of the approved development plan.
- The need for a financial contribution towards the upgrades of existing road, pedestrian and bicycle networks as set out in the development plan and appropriate agreements, conditions or other arrangements to guarantee such contributions.
- The need for requirements that provide for the ongoing protection of significant vegetation being retained on private land.

4.0

Objectives

- To encourage a range of residential lot sizes that will support a mixture of low, medium and higher density dwellings.
- To ensure that any new development does not adversely affect the amenity of existing residential properties abutting the site.
- To facilitate a high quality landscape outcome that integrates with the overall layout and design of the site.
- To recognise and protect significant vegetation on the site, including vegetation that is of heritage significance.
- To provide a safe, efficient and convenient street network.
- To promote walking and cycling by providing a pedestrian and bike network that links into the surrounding area.
- To encourage public transport use.

5.0

Requirements for development plan

The development plan must show or include the following information:
- A subdivision concept plan which shows the proposed use and development of each part of the land and the broad subdivision layout of the development, including details of lot mix, orientation and any areas for medium and higher density development.

- Details of the internal road layout which takes into account the following parameters:
  - Minimises new intersections with Switchback Road and Valley Ho Road.
  - A north-south route that considers using Park Valley Drive or Country Club Drive to connect to Rolling Hills Road.
  - An east-west route that considers using Peden Street from Victoria Road that connects through to Edward Road via Chirnside Park Drive.

- An assessment of the expected traffic impacts associated with the development on existing residential streets, the suitability of proposed street layout and existing intersections to accommodate bus movements, any recommended traffic calming/distribution measures within the local street network.

- The design and layout of the street network that accommodates public transport, with consideration for potential bus routes.

- All access points to the site, internal road networks and details of any proposed intersection treatments.

- The bicycle and pedestrian pathway network, including:
  - Links to adjoining land and networks, including Rolling Hills Road.
  - Measures to encourage walking and cycling within the site including the separation of pedestrians from vehicular traffic where possible.
  - Details of any required upgrades for the construction of paths in the surrounding area to complete links within the network.

- A detailed drainage and servicing assessment addressing all relevant drainage, flooding and water quality issues.

- Any areas of the site which are proposed to be transferred to Melbourne Water for drainage purposes or to Council for public open space purposes, as part of the future development of the site.

- The provision and layout of public open space on the site, that meets the following requirements:
  - Comprises a minimum of 20% of the total site area. This land may be encumbered by drainage reserves or the like.
  - Provides opportunities for future access to the open space area from the surrounding residential community.
  - Is generally of a linear design in sections abutting the site boundary.
  - Provision of pedestrian and bike pathways.

- An assessment of the significance of all vegetation on the site.

- Identification of all components of the existing vegetation to be retained and removed.

- A tree retention plan and detailed measures for the protection of trees to be retained.

- A landscape master plan for the site, including indicative landscaping for the private realm.

- Landscape design guidelines for private lots.

- A maintenance plan for new plantings.

- A cut and fill concept plan which shows how the existing topography of the land will change.
- Inclusion of water sensitive urban design.

- A construction management plan indicating:
  - The proposed construction staging program.
  - How the land is to be accessed during the construction period.
  - All measures to be introduced to ensure that construction on the land does not impact on any vegetation to be retained.
  - All measures to be introduced to minimise soil erosion and runoff.
  - Details relating to the storage of all plant and equipment during the construction period.
  - Details regarding methods to ensure that the amenity of the surrounding area is protected throughout the construction period.

**Decision Guidelines**

Before deciding to approve the development plan, the responsible authority must consider

- Whether the development plan achieves the design objectives for the site.

- The impact of the proposed development on adjacent and nearby properties, roads and other infrastructure.
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4.

1-5 CENTRAL AVENUE MOOROOLBARK

The purpose of this Development Plan is to:

- Recognise the importance of the land as a key redevelopment site within the Mooroolbark activity centre.
- Provide for the development of the land for higher density residential development that achieves a high standard of urban design and maximises the benefits of its central location.
- Encourage any new development on the land to adopt ecologically sustainable design principles and to consider the needs of people with limited mobility.
- Ensure any new development provides a reasonable level of protection of the outlook to the Dandenong Ranges from the adjoining residential area.

1.0 Requirement before a permit is granted

Prior to the granting of a permit for subdivision, use or development, a Development Plan must be prepared and submitted to the satisfaction of the responsible authority.

2.0 Conditions and requirements for permits

Where relevant to the satisfaction of the responsible authority, any permit granted must also include those conditions which are required to give effect to any requirements of the approved Development Plan included in section 3.0 of this schedule.

3.0 Requirements for Development Plan

The Development Plan must show or include:

- Proposed uses of the site, with a substantial portion of the land used for residential purposes.
- Approximate location, massing and heights of buildings. Buildings should address the street (including Lincoln and Manchester Road), with consideration given to rear lane access to sites where appropriate.
- Provision of higher density housing, with a significant proportion of residential buildings having, but not limited to, a height of 3 storeys. For the sites abutting adjoining residential areas, a maximum height of two storeys should be nominated.
- Location of public spaces and public open spaces.
- The provision of not less than 5 per cent public open space which can be provided in land or as a percentage of the site value or a combination of both.
- Layout of pedestrian and bicycle links within and through the site.
- Road and on-street parking layout.
- How on-site car parking will be accommodated.
- How the design achieves safety and security objectives.
- Indicative development schedule showing proposed densities and dwelling numbers, including a diversity of dwelling types and sizes, with a significant number of dwellings having no more than two bedrooms.
- A concept Landscaping Plan. The Plan should indicate a preference for predominantly indigenous species, particularly for species that have minimal water needs. It should have regard to retaining any healthy, established trees on the site, where their retention will not unreasonably compromise the development of the site.
• Sustainability Guidelines demonstrating how the proposal responds to best practice Ecologically Sustainable Design principles including; solar orientation, water reuse, stormwater management, building design, efficient use of natural resources, provision of a pedestrian and bicycle network, and other innovative sustainable techniques.

• A traffic management plan, demonstrating that safe and functional vehicle, bicycle and pedestrian network can be provided both within the site; and linking with the external transport network. It should take into account the provision of acceptable access from Lincoln and Manchester Roads.

• An access plan demonstrating how the public areas and the interrelationship between buildings and private open space areas are able to provide accessibility for people with mobility issues.
25/03/2010
C87

SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6.

1 NERYL COURT, MOOROOLBARK

The purpose of this Development Plan is to:

Ensure the future subdivision and development of the site takes into account the existing environmental conditions of the site and the adjoining site to the east, being 524 Hull Road.

1.0

Requirement before a permit is granted

Prior to the granting of a permit for subdivision, use or development, a Development Plan must be prepared and submitted to the satisfaction of the responsible authority.

2.0

Conditions and requirements for permits

Where relevant to the satisfaction of the responsible authority, any permit granted must also include those conditions which are required to give effect to any requirements of the approved Development Plan included in section 3.0 of this schedule.

3.0

Requirements for development plan

The Development Plan must show or include:

- A subdivision concept plan that shows:
  - A maximum of 21 allotments with a minimum area of 500m² per allotment.
  - No direct vehicle access to new lots from Hull Road, Mooroolbark.
  - A loop road from Neryl Court with road reserve abutting 524 Hull Road, Mooroolbark.
  - A subdivision layout that minimises the need to remove existing indigenous vegetation.

- Identification of existing vegetation to be retained and removed.

- The main drain along the south boundary piped with minimal overland flow on a reduced width easement.

- At least one footpath on each new road and a footpath on the east side of Neryl Court linking to the footpath on Hull Road.
SCHEDULE 7 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7.

LACOLA SITE, MAROONDAH HIGHWAY, OLD MELBOURNE ROAD, KIMBERLEY DRIVE, CHIRNSIDE PARK

The Lacola site is irregular in shape and is bounded by the Maroondah Highway, Old Melbourne Road and Kimberley Drive. The land comprises a total area of approximately 4.1 hectares and has been extensively excavated to form a cliff face against Old Melbourne Road. It is located within the Chirnside Park Activity Centre adjacent to the designated town centre precinct. The site fronts the Maroondah Highway, a major arterial road that is serviced by public transport. It holds significant opportunity for mixed use development, including higher density housing.

The objectives for the site are to:

- Provide a range of commercial, entertainment and higher density residential uses that complement the functions of the Chirnside Park Activity Centre.
- Create a landmark development at the corner of Maroondah Highway and Kimberley Drive that positively contributes to the appearance and identity of Chirnside Park.
- Provide for housing diversity, including a mix of one, two and three bedroom dwellings.
- Provide an active interface with the “green spine” along Maroondah Highway.
- Create a pedestrianised and activated ‘main street’ experience.
- Create a residential scale interface with Old Melbourne Road.
- Create a highly accessible precinct.
- Promote sustainable development.

1.0

Requirement before a permit is granted

The responsible authority may grant a permit for subdivision, use or development prior to the approval of a development plan provided that it is satisfied that the subdivision, use or development will not prejudice the future use or development of the land consistent with the plan in Section 4.0 of this schedule.

2.0

Conditions and requirements for permits

An application for a permit must be accompanied by the following details as appropriate:

- Details of environmentally sustainable design initiatives proposed for the development.
- Architectural design response for all commercial and residential buildings, including confirmation that the rooftops have been considered as an integrated element in the building design.
- A planning report outlining how the development accords with relevant planning scheme policies and requirements and the approved Development Plan.
- An economic assessment for any development comprising more than 2000 square metres of retail floorspace.
- A traffic report assessing the car parking requirements and traffic impacts of the proposed development.

Any permit granted to subdivide, use or develop the land must include, where relevant, the following requirements:

- The submission of a Construction Management Plan prepared to the satisfaction of the responsible authority which includes the following information:
  - A construction staging program;
- How the subject site is to be accessed during the construction period;
- How surplus material resulting from future earthworks on the site will be dealt with;
- The storage of all plant and equipment during the construction period; and
- The methods designed to ensure that the amenity of the neighbouring residential area is protected throughout the construction period.

- Details of site management arrangements such as an Owners Corporation or similar management structure, for areas that are to be available for public use.
- A Services Report comprising:
  - An assessment of the services required for the proposed development; and
  - Identification of the areas required for overland drainage or flood storage.

Before deciding on any application, the responsible authority may take into account the views of interested parties.

Requirements for development plan

The Development Plan must be generally in accordance with the plan in Section 4.0 of this schedule and must include the following details as appropriate:

- Integration of the proposed development with the ‘Green Spine’ concept along the Maroondah Highway including landscaping, signage and permeability of the site.
- Distribution of land uses throughout the site.
- Staging of development, showing the percentage of each stage dedicated to higher density residential, commercial and/or large format retail, and/or convenience retail uses.
- Retail uses that are complementary and do not detract from the role of the adjacent Chirnside Park shopping centre.
- Location of public open spaces.
- Proposed buildings and works including open space, roads, pedestrian and cycle paths.
- Development Design Response Guidelines, showing details of:
  - The preferred built form (including proposed building height, materials and density), generally being a maximum of 4 storeys (18 metres) with the exception of:
  - The key site on the corner of Kimberley Drive and Maroondah Highway which may be a maximum of 6 storeys (25 metres).
  - Development abutting the existing cliff face which may be a maximum of 2 storeys (7 metres) above Old Melbourne Road.
  - The proposed connections within and beyond the site, including an internal road with access off Maroondah Highway.
  - Indicative drawings to demonstrate how building height and location respond to (and substantially obscure) the existing cliff face.
  - Activated frontages to Maroondah Highway, Kimberley Drive and the internal main streets.
- Any residential development along the north western boundary edge (Old Melbourne Road) is to:
- Address the Old Melbourne Road frontage and be no higher than 2 storeys (7 metres) above street level.
- Provide sufficient spacing between consecutive buildings to provide views to the south east from the existing residential properties.

- **A Traffic Report** to the satisfaction of VicRoads which must include but not be limited to:
  - An assessment of the impact of traffic generated by the development upon the surrounding arterial and local road network along with any traffic improvement measures required to address identified issues;
  - Internal road design requirements including measures to restrict use of the site as a “through route” for shopping centre traffic;
  - An assessment of car parking to be provided on the site;
  - An assessment of bus access through the site and connections with the Chirnside Park Town Centre;
  - Provision for the inclusion of a bus stop within the site;
  - An assessment of the internal bicycle and pedestrian paths network and their connectivity with the external community, particularly links with the Town Centre; and
  - A requirement that the primary entry and exit point from the Maroondah Highway includes the provision of a fully signalised intersection.

- **A Landscape Plan** detailing:
  - Key landscape design principles to be applied in considering species selection throughout road reserves, along the site’s key internal and external interfaces and within proposed communal open spaces and car parking areas;
  - Significant tree canopy extended throughout the site;
  - The provision and management of open space with pedestrian and bicycle links.
Lacola Plan

Residential buildings to step against cliff face and respond to the contour of Old Melbourne Rd. (maximum 2 storey, 1m to eavesline above Old Melbourne Rd.)

Commercial / entertainment maximum 6 storey (25m)

Retail with upper level residential or commercial activated uses at ground level with ancillary commercial or residential above (maximum 3 storey)

Large format retail / convenience retail / commercial maximum 4 storey (15m)

Large format retail / convenience retail / commercial maximum 2 storey (9m)

Public open space

Community Service / commercial

Commercial office

Car park

Pedestrian Path

Shared path within green spine (by others)

Large format full line supermarkets and electronic gaming machines are not permitted
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

238-240 MAROONDAH HIGHWAY, CHIRNSIDE PARK

The site is part of the Chirnside Park Major Activity Centre and is located at the south-western corner of the intersection of the Maroondah Highway and Manchester Road. Chirnside Park Shopping Centre is located directly opposite the site, across Maroondah Highway to the north-west. The site adjoins residential land to the north and east.

The objectives for the site are to:

- Provide for a mixture of medium and higher density residential development together with retail and commercial activities designed to meet the needs of the local community.
- Ensure that the mix of uses complements and reinforces the role of the adjacent Chirnside Park Shopping Centre as the primary retail area in the Chirnside Park Major Activity Centre.
- Provide physical linkages with the Chirnside Park Shopping Centre to encourage mobility between the site and the Chirnside Park Shopping Centre.
- Provide high quality, innovative and contemporary architecture that is linked by high quality public open spaces and pedestrian access which responds to the sites undulating terrain.
- Encourage built form outcomes that assist in consolidating the various elements of the Chirnside Park Major Activity Centre to create a strong sense of identity.
- Promote sustainable development.

1.0 Requirement before a permit is granted

The Responsible Authority may grant a permit for subdivision, use or development prior to the approval of a Development Plan, provided that it is satisfied that the subdivision, use or development will not prejudice the future use and development of the land in achieving the objectives of this schedule.

2.0 Conditions and requirements for permits

An application for a permit must be accompanied by the following details as appropriate:

- Details of environmentally sustainable design initiatives.
- A planning report outlining how the development accords with relevant planning scheme policies and addresses the requirements of the approved Development Plan.
- An architectural design response for all buildings included as part of the development.
- An economic assessment for any development comprising more than 2,000sqm of retail floor space that considers the impact on the town centre precinct as shown in Clause 22.06.
- Details of site management arrangements such as an Owners Corporation or similar management structure, for areas that are to be available for public use.
- A landscape plan prepared in accordance with the Landscape Guidelines: How to prepare a Landscape Plan in the Shire of Yarra Ranges.
- A Drainage Strategy detailing all internal and external catchments and how these will be treated as part of the development of the site.
- A traffic report assessing the traffic impacts of the development and car parking assessment.
- An assessment of the potential impacts of any non-residential land uses on the amenity of dwellings proposed on the site or on adjoining land.
Any permit granted to subdivide, use or develop the land must include, where relevant, the following requirements:

- A Construction Management Plan, prepared to the satisfaction of the Responsible Authority, which highlights:
  - Details regarding the construction staging program;
  - How the subject site is to be accessed during the construction period;
  - Details relating to the storage of all plant and equipment during the construction period; and
  - Methods designed to ensure that the amenity of the surrounding area is protected throughout the construction period.

### Requirements for development plan

The Development Plan must include the following, as appropriate:

- Integration of the proposed development with the ‘Green Spine’ concept along the Maroondah Highway including landscaping, signage and permeability of the site.
- A 25m setback from road pavement of through traffic lanes of the Maroondah Highway.
- A building setback to provide for landscaping along the Manchester Road frontage of the land.
- Articulated buildings at a pedestrian scale, easily identifiable pedestrian entry points, clear glazing free of obstructions such as signage.
- A mixture of retail, residential and service uses.
- Staging of development, showing the percentage of each stage dedicated to residential, commercial and retail uses. Stage 1 of the development must include a residential component incorporating a minimum of 25 dwellings.
- Active street frontages along internal pedestrian linkages.
- Direct vehicular and pedestrian connection to the Chirnside Park Shopping Centre including pedestrian access points from the Green Spine.
- Details showing how any proposed multi-level car park will not be visually prominent.
- Details showing how any basement and under-croft car parking areas will be designed to present a safe and attractive interface with pedestrian access ways.
- Proposed buildings, public open space, roads, pedestrian and cycle connections.
- A network of usable open spaces and a note indicating the total amount of open space.
- Precinct Design Guidelines, showing details of:
  - Built form (including proposed building height, materials and density) generally being limited to a maximum of 4 storeys (14m) above finished ground level);
  - The preferred design and interface treatments between the precincts and adjoining sites;
  - The proposed connections within and beyond the site, including an internal road access;
  - Indicative drawings to demonstrate how building height and location respond to the topography of the land.
- Details of the overall site management arrangements for the proposed development.
- A Services Report detailing:
  - An assessment of the services required for the proposed development.
  - Identification of the areas required for overland drainage or flood storage.
A Traffic Report incorporating the requirements of VicRoads and prepared to the satisfaction of Council which must include but is not limited to:

- An assessment of the impact of traffic generated by the development upon the surrounding road network.
- Internal road design requirements including measures to restrict use of any central road connection as a “through route” between Maroondah Highway and Manchester Road by external motorists.
- An assessment of car parking to be provided on the site.
- An assessment of the internal pedestrian network and its connectivity with the external community.

- An assessment of public transport serviced in the locality, existing stops and any additional stops or infrastructure prepared in consultation with the Director of Public Transport.

- A Landscape Masterplan detailing:
  - Key landscape design principles to be applied in considering species selection throughout road reserves, along the site’s key internal and external interfaces and within proposed communal open spaces and car parking areas.
  - The provision and management of open space with pedestrian and bicycle links.
  - A public pedestrian crossing on Manchester Road and connecting pathway link into the development.
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

SOUTH WEST CORNER OF KIMBERLEY DRIVE AND BLACK SPRINGS ROAD, CHIRNSIDE PARK

The site is located on the south west side of Kimberley Drive and Black Springs Road opposite the Chirnside Park Town Centre Precinct. The land, which comprises moderate slopes, is fully cleared and remains undeveloped. It adjoins established standard density residential development to the west and south.

The objectives for the site are to:

- Be a priority location for higher density residential development
- Adopt a form and density that will broaden the diversity of housing in the activity centre
- Protect the amenity of existing residential development on adjoining land
- Provide for the creation of an Urban Park that will be a focal point for social recreation in the activity centre
- Provide the opportunity for mixed use development on the Kimberley Drive frontage that is integrated with the adjoining residential development and the Urban Park, and complements the role of the adjoining Town Centre Precinct.

1.0 Requirement before a permit is granted

The responsible authority may grant a permit for subdivision, use or development prior to the approval of a development plan provided it is satisfied that the subdivision, use or development will not prejudice the future use or development of the land consistent with the objectives of this schedule.

2.0 Conditions and requirements for permits

An application for a permit must be accompanied by the following, as appropriate:

- An architectural design response for all residential and commercial buildings
- A planning report outlining how the development is generally in accordance with the approved Development Plan and the Chirnside Park Urban Design Master Plan September 2010
- A traffic report assessing the car parking requirements and traffic impacts of the proposed development
- A report detailing how Environmentally Sustainable Design techniques such as energy and water conservation, waste minimisation, vegetation retention and promotion of alternative transport options have been incorporated in the proposed development.

Any permit granted to subdivide, use or develop the land must include, where relevant, the following requirements:

- The submission of a Construction Management Plan prepared to the satisfaction of the responsible authority which includes the following information:
  - A construction staging program
  - How the subject site is to be accessed during the construction period
  - How surplus material resulting from future earthworks on the site will be dealt with
  - The storage of all plant and equipment during the construction period
  - The methods designed to ensure that the amenity of the neighbouring residential area is protected throughout the construction period
- The methods to control adverse environmental effects including erosion and sediment runoff.
- A Services Report comprising:
  - An assessment of the services required for the proposed development; and
  - Identification of the areas required for overland drainage or flood storage.

- Details of site management arrangements such as an Owners Corporation or similar management structure, for areas that are to be available for public use.

Before deciding on any application, the responsible authority may take into account the views of interested parties.

### Requirements for development plan

The Development Plan must be generally in accordance with the Design Requirements Table and be generally in accordance with the Chirnside Park Urban Design Master Plan September 2010. It must include the following details as appropriate:

- Distribution of land uses throughout the site
- The location, size and design concepts of proposed buildings including height, density, materials, orientation, setbacks, and provision of activated frontages
- Indicative drawings showing how the proposed built form of development responds to the topography of the site
- Provision of an area of approximately one hectare on land fronting Kimberley Drive opposite the Town Centre Precinct to be set aside as an Urban Park
- An explanation of how any mixed use development on the site will be integrated with the Urban Park and residential development on the balance of the site
- The preferred design treatments for the interface with adjoining sites
- Staging of development

- A Traffic Report which must include:
  - An assessment of the impact of traffic generated by the development on the surrounding road network
  - Measures required to address any adverse traffic impacts
  - An assessment of car parking to be provided on the site
  - An assessment of the internal bicycle and pedestrian paths network and their connectivity with the external community.

- The location of proposed public spaces and their integration with traffic routes
- An assessment of the services required for the proposed development
- An explanation of how the proposal responds to the requirements of the Local Planning Policy for Gaming Machines (Clause 22.08.)
- A Landscape Concept Plan detailing:
  - Key landscape design principles for all public spaces including streets, parkland and car parking areas
  - Species selection, which is to predominantly comprise locally indigenous and other native species
- Opportunities for creating significant tree canopy throughout the site
- The provision and management of open space with pedestrian and bicycle links.

- A signage strategy detailing:
  - The provision for business signs on proposed buildings
  - The design and location of directional signage and free standing business signage.

### Design requirements table

<table>
<thead>
<tr>
<th>Development type</th>
<th>Preferred maximum building height</th>
<th>Building setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>All development</td>
<td>13.5 metres (4 storeys )</td>
<td>3 metres from frontage.</td>
</tr>
<tr>
<td></td>
<td>An upper level setback of at least 2 metres is to be provided above the second storey.</td>
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</tr>
<tr>
<td></td>
<td><strong>General requirements</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Ground level frontage setbacks are to be consistently applied to define the streetscape character.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Sufficient spacing is to be provided between buildings to allow views across the site from any adjoining residential lots that are outside the area covered by this Overlay.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Frontage setbacks are to be landscaped with vegetation that allows views between the dwelling and the street.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New buildings are to be designed to step down natural slopes to minimise visual bulk and limit the need for excavation.</td>
<td></td>
</tr>
<tr>
<td>Residential Development</td>
<td>Preferred maximum building height</td>
<td>Building setback</td>
</tr>
<tr>
<td></td>
<td>7.5 metres (2 storeys )</td>
<td>5 metres from external street frontage</td>
</tr>
<tr>
<td></td>
<td>9 metres from any adjoining residential lots that are outside the area covered by this Overlay</td>
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</tr>
<tr>
<td></td>
<td><strong>General requirements</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Ground level frontage setbacks are to be consistently applied to define the streetscape character.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Sufficient spacing is to be provided between buildings to allow views across the site from any adjoining residential lots that are outside the area covered by this Overlay.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Frontage setbacks are to be landscaped with vegetation that allows views between the dwelling and the street.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New buildings are to be designed to step down natural slopes to minimise visual bulk and limit the need for excavation.</td>
<td></td>
</tr>
</tbody>
</table>
### Development type

<table>
<thead>
<tr>
<th>Development type</th>
<th>Design requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sufficient spacing is to be provided between buildings to allow views across the site from any adjoining residential lots that are outside the area covered by this Overlay.</td>
</tr>
<tr>
<td></td>
<td>Frontage setbacks are to be landscaped with vegetation that allows views between the dwelling and the street.</td>
</tr>
<tr>
<td></td>
<td>New buildings are to be designed to step down natural slopes to minimise visual bulk and limit the need for excavation.</td>
</tr>
<tr>
<td>Mixed Use Development</td>
<td>Preferred maximum building height</td>
</tr>
<tr>
<td></td>
<td>10.5 metres (3 storeys)</td>
</tr>
<tr>
<td></td>
<td>Building setback</td>
</tr>
<tr>
<td></td>
<td>Zero setback from frontage</td>
</tr>
<tr>
<td></td>
<td>An upper level setback of 2-3 metres is to be provided above the first storey.</td>
</tr>
<tr>
<td></td>
<td>General requirements</td>
</tr>
<tr>
<td></td>
<td>Development is to be integrated with, and provide a compatible interface to, adjoining residential uses.</td>
</tr>
<tr>
<td></td>
<td>Weather protection awnings on frontage are to project 2.5 metres from the building facade.</td>
</tr>
<tr>
<td></td>
<td>Buildings are to provide activated frontages facing the urban park.</td>
</tr>
<tr>
<td></td>
<td>Upper levels are to provide habitable room windows overlooking the urban park.</td>
</tr>
<tr>
<td></td>
<td>The inclusion of full line supermarkets in the development is discouraged.</td>
</tr>
</tbody>
</table>
EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as EMO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

Erosion management objectives and statement of risk

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- Roadworks.
- Buildings and works associated with a dependent person’s unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment.
- Any matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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>
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</tr>
<tr>
<td>- A rainwater tank.</td>
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</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>

Vegetation removal

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.
### Table of exemptions

<table>
<thead>
<tr>
<th>Requirement to obtain a permit does not apply to:</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
<tr>
<td></td>
<td>- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
<tr>
<td></td>
<td>- minimising the risk to life and property from bushfire 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>
</tr>
<tr>
<td></td>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
</tr>
<tr>
<td><strong>Geothermal energy exploration and extraction</strong></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>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management or directions notice</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Land use conditions</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
</tbody>
</table>
### The requirement to obtain a permit does not apply to:

**Note:** Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noxious weeds</strong></td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td><strong>Pest animal burrows</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td><strong>Planted vegetation</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (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:  
  - 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 costeanning and bulk sampling activities. |
| **Stone extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Surveying**     | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

**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 and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of sSection 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:

- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
• Whether buildings or works are likely to cause erosion or landslip.

• Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.

• Land Capability Report (if prepared) as developed by the Department of Environment, Land, Water and Planning.

• The need to remove, destroy or lop vegetation to a create defendable space to reduce the risk of bushfire to life and property.

• Any technical information or reports required to be provided by a schedule to this overlay.

• Any other matters specified in a schedule to this overlay.
**SCHEDULE TO THE EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO**.

### 1.0

**Statement of nature and key elements of land susceptible to landslip**

The Shire contains areas of land which are susceptible to landslip, including land in the Dandenong Ranges, Silvan, the Don River Valley and Warburton.

A number of geotechnical studies have been undertaken, in various forms, in the former Shires of Lillydale, Upper Yarra, Healesville and Sherbrooke and in the broader region administered by the former Upper Yarra Valley and Dandenong Ranges Authority.

The Shire of Yarra Ranges subsequently adopted a shire wide slope stability classification system and guidelines for the development of land potentially affected by landslip.

All land included in the Erosion Management Overlay has been identified as having a sufficiently high risk of potential instability to warrant specific review of these risks prior to the issue of a planning permit. The control of environmental factors and development such as vegetation cover, drainage, rock and soil disturbance and effluent and stormwater disposal are important in managing the risk of landslip.

### 2.0

**Definitions**


**Geotechnical Practitioner** means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved professional status as a:

- Chartered Professional Engineer (CPEng); or
- Chartered Professional Geologist (CPGeo); or
- Registered Professional Geologist (RPGeo);

with experience in the management of slope stability problems and landslip risk management as a core competence to the satisfaction of the Responsible Authority.

**Landslip** means the movement of a mass of rock, debris or earth down a slope. This includes debris flow, which is the rapid flow of water saturated soil or rock debris.

**Tolerable Risk** means for new development or changes to existing development a risk to life and/or a risk to property which:

- For loss of life for the person(s) most at risk, is taken as having a probability of no greater than $10^{-5}$ (1:100,000) per annum calculated in accordance with AGS Guidelines 2007;

- For property loss is ‘Low’ or ‘Very Low’ assessed qualitatively using AGS Guidelines 2007 and specifically Appendix C to that document.

### 3.0

**Objectives**

- To manage the risk of landslip.

- To ensure that development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject land or adjoining or nearby land.

- To ensure that on land where a Landslip Risk Assessment is required development is not carried out unless the risk associated with the development is a Tolerable Risk.

- To ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.
To ensure that development is only carried out if identified geotechnical and related structural engineering risks to life and property are effectively addressed.

To ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.

To ensure that approved development is thereafter appropriately maintained.

4.0

Exemptions from permit requirements

No permit is required to construct or carry out any of the following buildings or works.

- Earthworks, either separately or as part of a buildings or works proposal, provided:
  - No cut or fill greater than 0.6 metres in height or depth is required;
  - No change is made to constructed drainage or fixed irrigation systems.

- Removal or destruction of any vegetation, either separately or as part of a buildings or works proposal, provided it is:
  - Having a trunk circumference less than 0.5 metres at one metre above the ground; or
  - Within 2 metres of a building; or
  - Dead and the roots below ground level are retained.

- Pruning provided it is for the purpose of improving a tree or shrub's health or structural stability in accordance with normal horticultural practice for the species involved.

- A fence of:
  - Post and wire construction; or
  - Paling construction, supported by posts and rails, where the base of the fence is at least 75 mm above the ground surface.

- Extensions or internal alterations to an existing building provided:
  - If the land is unsewered, approval to alter or install a wastewater system is required under the Environment Protection Act 1970.
  - There is no increase in the ground surface area covered by roofed buildings or structures greater than 20 square metres;
  - Stormwater from the roof is drained to the legal point of discharge.

- Non-habitable structures ancillary to a dwelling, including carports and garden sheds, provided:
  - The structure is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
  - The ground surface area occupied by all such structures on the property does not exceed 40 square metres;
  - The slope of the land within 20 metres of the shed is 20 percent or less;
  - Stormwater from the roof is drained to the legal point of discharge.

- A permeable, uncovered deck provided:
  - The slope of the land within 20 metres of the deck is 20 percent or less;
  - There is no increase in the ground surface area covered by the deck greater than 20 square metres.
A building associated with agricultural activities provided:
- The building is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
- The ground surface area occupied by the structure does not exceed 40 square metres;
- The development would result in not more than two such structures existing on the subject property;
- The slope of the land within 20 metres of the shed is 20 percent or less;
- Stormwater from the roof is to the legal point of discharge.

A domestic rainwater tank with a capacity of not more than 4500 litres provided it is constructed at ground level or above.

A building:
- Used for the storage of building materials and equipment; and
- Not exceeding 10 square metres in floor area;
- temporarily located on the subject property for the duration of building construction works allowed or approved under this scheme.

A retaining wall that:
- Does not exceed one metre in height,
- Is not associated with other building construction work; and
- Does not provide landslip protection for any adjoining land.

Landscaping water features provided it does not entail ponding of more than 500 litres of water.

Application requirements
An application for a planning permit must be accompanied by, to the satisfaction of the responsible authority:

- Development Plans;
- A written Geotechnical Assessment of the proposed development in relation to existing conditions.
- A written Landslip Risk Assessment of the proposed development in relation to existing conditions, if the Geotechnical Assessment or other landform data, indicates natural slopes on or immediately adjacent to the subject lot which:
  - are steeper than 20 percent in Tertiary Basalt areas; or
  - are steeper than 30 percent in all other areas; or
  - exhibit evidence of possible or past landsliding on or immediately adjacent to the site;
  - or where, in the opinion of the Responsible Authority, the Geotechnical Assessment is not sufficient to determine that the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
- A Geotechnical Declaration and Verification Form.

Development Plans
Development plans, must be drawn to scale, dimensioned and based on survey, and show:
- The proposed development, including a site plan and building elevations, and any proposed cut and fill, retaining wall or effluent disposal system;

- Any existing development, including buildings, water tanks and dams on both the subject lot and adjacent land, cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard;

- Details and location of existing vegetation, including any vegetation to be removed.

**Geotechnical Assessment**

A written Geotechnical Assessment must be prepared or technically verified by a Geotechnical Practitioner and must include, to the satisfaction of the Responsible Authority:

- Details of the Geotechnical Practitioner and his or her qualifications and experience, including without limitation experience in the management of slope stability problems and landslip risk management.

- A statement that the assessment is based on field survey measurements which have been undertaken not more than 12 months prior to the application for planning permit or if field survey measurements are older than a signed statement from the geotechnical practitioner that the measurements remain valid.

- A detailed site description.

- Site assessment plans and cross-sections of the subject lot and related land form survey and field measurements with contours and ground slopes, as measured, shown and drawn to scale and dimensioned.

- A detailed assessment of subsurface conditions, including the underlying geology.

- A statement indicating whether there are natural slopes on or immediately adjacent to the subject lot which:
  - are steeper than 20 percent in Tertiary Basalt areas; or
  - are steeper than 30 percent in all other areas; or
  - exhibit evidence of possible or past landsliding on or immediately adjacent to the site.

- A detailed description of any evidence of slope instability.

- Details of all site investigations and any other information used in preparation of the geotechnical report.

- Whether site investigation requires subsurface investigation that may involve boreholes and/or test pit excavations or other methods necessary to adequately assess the geotechnical/geological model for the subject lot and details of all such investigations, boreholes, test pits or other methods.

- A conclusion which:
  - Is supported by the data and all stated assumptions contained in the assessment and is capable of being verified by a peer review.
  - States whether or not a Landslip Risk Assessment is required.
  - Where it is considered that a Landslip Risk Assessment is not required, states that, in the opinion of the Geotechnical Practitioner, the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
- Provides justification, including any necessary calculations, for the conclusion.
- States whether or not the development should only be approved subject to conditions and, if so, states recommendations of what conditions should be required, including but without limitation conditions relating to:
  - The determination of appropriate footing levels and foundation materials and in any structural works, including all footings and retaining walls;
  - The location of and depth of earth and rock cut and fill;
  - The construction of any excavations and fill and the method of retention of such works;
  - Any details of surface and sub-surface drainage;
  - The selection and design of a building structure system to minimize the effects of all identified geotechnical hazards;
  - Retention, replanting and new planting of vegetation;
  - Any drainage and effluent discharge;
  - Any necessary ongoing mitigation and maintenance measures and any recommended periodic inspections, including performance measures;
  - The time within which works must be completed after commencement and the location/s and period in which materials associated with the development can be stockpiled;
  - Any requirements for geotechnical inspections and approvals that may need to be incorporated into a construction work plan for building approval purposes.

**Landslip Risk Assessment**

A written Landslip Risk Assessment must, to the satisfaction of the Responsible Authority:
- Be completed by a Geotechnical Practitioner.
- Contain a copy of or include the Geotechnical Assessment prepared for the subject land and proposal and, if not prepared by the Geotechnical Practitioner preparing the Landslip Risk Assessment, contain a response by the Geotechnical Practitioner preparing the Landslip Risk Assessment that the findings and conclusions of the Geotechnical Assessment are agreed with.
- If the geotechnical practitioner preparing the Landslip Risk Assessment does not agree with the findings and conclusions of the Geotechnical Assessment for the subject land and proposal, another Geotechnical Assessment must be prepared by that Geotechnical Practitioner.
- Be based on field survey and measurements which have been undertaken not more than 12 months prior to lodgement of the application for planning permit or if field survey measurements are older than 12 months a signed statement from the geotechnical practitioner that the measurements remain valid.
- Include a full assessment of the risk posed by all reasonably identified geotechnical hazards which have the potential to, either individually or cumulatively impact, upon people or property on the subject lot or related land. This assessment must be in accordance with AGS Guidelines 2007.
- Contain a conclusion as to whether the subject lot is suitable for the proposed development. This must be in the form of a specific statement that the subject lot is suitable, or can be made suitable, for the proposed development and that the subject lot and/or the proposed development can meet the tolerable risk criteria, as defined in this schedule. The report must specify all conditions required to achieve this outcome.

At all times, any decision regarding the degree of investigations and assessment required must be dictated by the consideration of risk to life and property.
6.0

Independent Review

The responsible authority may require a Geotechnical Assessment and/or a Landslip Risk Assessment that has been submitted with an application, to be reviewed by an independent geotechnical practitioner at the applicant’s cost.

7.0

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The recommendations of the Geotechnical Assessment, any Landslip Risk Assessment and any other information accompanying the application;
- The advice of any Geotechnical Practitioner who has reviewed the application;
- The risks associated with the development requiring ongoing monitoring and maintenance of all mitigation measures;
- The risks associated with non-compliance with any conditions of any permit which may be subsequently issued.

8.0

Permit Conditions

The responsible authority must ensure that any permit issued for the construction of a building, works or the removal of vegetation contains those conditions recommended by the Geotechnical Assessment or, where applicable, the Landslip Risk Assessment or any Geotechnical Practitioner engaged to review those assessments.

Prior to the occupation of any building or structure or the commencement of any use authorised by the permit, the applicant must submit to the responsible authority a statement made by the Geotechnical Practitioner, who prepared the Geotechnical Assessment or Landslip Risk Assessment, stating that the conditions have been complied with and the permitted development is suitable to be used or occupied for the purpose for which permission has been granted.

References


‘Landslip Zoning of the Shire of Yarra Ranges’ Coffey Partners International Pty Ltd Report No M2964/1-CF, Sept 1999

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.

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

MUNICIPALITY WIDE LAND SUBJECT TO INUNDATION OVERLAY

1.0

Land subject to inundation objectives to be achieved

None specified.

2.0

Statement of risk

None specified.

3.0

Permit requirement

A permit is not required to construct or carry out any of the following buildings or works:

- An extension to an existing dwelling provided the floor level of the extension is not lower than the existing floor level and the gross floor area of the extension does not exceed 20 square metres.
- Ancillary works to an existing dwelling including landscaping, a pergola, driveway, verandah, barbeques, water tank.
- An open building with no walls.
- An open-style fence.
- A tennis court at natural surface level with curtain fencing.
- A below-ground swimming pool.
- A non habitable building or extension to a non habitable building with concrete floors, where floor levels are at least 300 mm above the flood level.
- A non habitable building or extension to a non habitable building with dirt floors, where floor levels are at least 150 mm above the flood level.
- Footpath, bicycle path or elevated boardwalk, at 300 mm above the applicable flood level.
- Radio mast.
- Advertising signs on posts or attached to buildings.
- Upper storey extensions or alterations to existing buildings.
- Replacement fences of the same materials as the existing fence.
- Aviaries and other enclosures for domestic animals.
- Agricultural and farm buildings with permanent openings such as hay sheds, cattle yards, covered horse stables or yards.
- Earthworks associated with the construction of a dam, where no fill is imported to the site and where no embankment is above ground level.
- For land in a rural zone, earthworks that do not obstruct or impact on natural flow paths, drainage lines or flood flows and that raise the natural surface level of the land by less than 150 mm.
- Picnic shelters.

4.0

Application requirements

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
- The boundaries and dimensions of the site.
- Relevant ground levels, to Australian Height Datum, taken by a licensed surveyor.
- The layout of existing and proposed buildings and works.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

5.0

Decision guidelines

None specified.
**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></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>
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<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>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
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</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.
1.0 Permit requirement
None specified.

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.
- Relevant ground levels, to Australian Height Datum, taken by a licensed surveyor.
- The layout of existing and proposed buildings and works.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

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 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 of the approved plans.
  - State applicable flood level and any required floor levels.
- Is in accordance with an adopted local floodplain development plan.
**BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

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**Bushfire management objectives and application of schedules**

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

---

**Permit requirement**

**Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

**Buildings and works**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person’s unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person’s unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person’s unit) that is less than 10 percent of the gross floor area of the existing building.
A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.

A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.

- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.

- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

Mandatory condition

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.

- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”
This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

**Buildings and works**

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is:
  - Constructed on the same land as the dwelling.
  - Available for use by the occupants of the dwelling at all times.
  - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

**Referral of applications**

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

**Notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:
Transitional arrangements

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the Building Act 1993 was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and

- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres, is provided to the satisfaction of the responsible authority.

- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.
SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO1.

BADGERS CREEK, BELGRAVE SOUTH, HEALESVILLE, LILYDALE, MONBULK, MONTROSE, MOOROOLBARK, MT EVELYN, WANDIN NORTH BAL-12.5 AREAS

1.0

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 52.47 applies in all other circumstances.

2.0

Permit requirement

None specified.

3.0

Application requirements

An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5

- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 52.47 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.

- A static water supply must be provided in accordance with Clause 52.47, and

- Vehicle access must be provided in accordance with Clause 52.47.

If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47

None specified.

6.0

Additional alternative measures for Clause 52.47

None specified.
Mandatory Condition
An application must include the mandatory conditions as specified in Clause 44.06-4.

Referral of application not required
An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

Notice and review
None specified.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO2.

HEALESVILLE, BELGRAVE, TECOMA, UPWEY, LILYDALE, MONBULK, MONTROSE, MOOROOLBARK, MT EVELYN, WANDIN NORTH BAL-29 AREAS

1.0

Statement of the bushfire management objectives to be achieved
To specify bushfire protection measures to construct or extend one dwelling on a lot.
To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application
The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.
Clause 52.47 applies in all other circumstances.

2.0

Permit requirement
None specified.

3.0

Application requirements
An application must be accompanied by a bushfire management plan that:

- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met
The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 52.47 with the following variation:
  - The canopy of trees must be separated by at least 5 metres.
- A static water supply must be provided in accordance with Clause 52.47, and
- Vehicle access must be provided in accordance with Clause 52.47.

If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47
None specified.

6.0

Additional alternative measures for Clause 52.47
None specified.
Mandatory Condition
An application must include the mandatory conditions as specified in Clause 44.06-4.

Referral of application not required
An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

Notice and review
None specified.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
OTHER OVERLAYS
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

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<th>Purpose of Acquisition</th>
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<td>PAO1</td>
<td>Roads Corporation</td>
<td>New alignment of Melba Highway and Yarra River bridge at the southern entrance to Yarra Glen</td>
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<tr>
<td>PAO2</td>
<td>Roads Corporation</td>
<td>New alignment of Melba Highway for Yarra Glen By-Pass (north of the Yarra River)</td>
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<tr>
<td>PAO3</td>
<td>Roads Corporation</td>
<td>New alignment of Melba Highway for Yarra Glen By-Pass (south of the Yarra River)</td>
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<td>PAO4</td>
<td>Yarra Ranges Shire Council</td>
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<td>PAO5</td>
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<td>PAO6</td>
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<td>Subdivision Restructure Buy Back (Douglas Ave, Warburton)</td>
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<td>PAO9</td>
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<td>Roads Corporation</td>
<td>Healesville Freeway (between Colchester Road and Mt Dandenong Road, Kilsyth, and between Taylor Road and Hull Road, Mooroolbark)</td>
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</table>
ENVIROMENTAL 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.
RESTRUCTURE OVERLAY

Shown on the planning scheme map as RO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify old and inappropriate subdivisions which are to be restructured.
To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

Subdivision

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment report which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

Dwellings and other buildings

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

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.

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 of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.

- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.

- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.

- The effect on surrounding uses, especially agricultural uses and nearby public land.

- The design of buildings.
## SCHEDULE TO THE RESTRUCTURE OVERLAY

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<td>Breen Terrace/Clarke Road, Ferny Creek</td>
<td>Restructure Plan for Old and Inappropriate Subdivisions in the Yarra Ranges Council, December 2015</td>
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<tr>
<td>RO2</td>
<td>Restructure Plan deleted by Amendment C91</td>
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<tr>
<td>RO3</td>
<td>Mt Dandenong Tourist Road/Driffield Crescent, Sassafras</td>
<td>Restructure Plan for Old and Inappropriate Subdivisions in the Yarra Ranges Council, December 2015</td>
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<td>Hilton Road/Breen Terrace, Ferny Creek</td>
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<td>Wannawong Road/Alice Street, Sassafras</td>
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<td>RO21</td>
<td>Ramsay Court, The Patch</td>
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<td>RO22</td>
<td>Kallista Emerald Road, Kallista</td>
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<td>RO23</td>
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<td>RO84</td>
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<td>RO85</td>
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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.

CHIRNSIDE PARK MAJOR ACTIVITY CENTRE DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

This Development Contributions Plan (DCP) applies to the Chirnside Park Activity Centre. This area is shown as DCPO1 in the Yarra Ranges Planning Scheme maps.

2.0

Summary of costs

<table>
<thead>
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<th>Item</th>
<th>Total cost</th>
<th>Time of provision</th>
<th>Actual cost apportioned to new development</th>
<th>Proportion of cost apportioned to new development</th>
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<td>Refer to DCP</td>
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<tr>
<td>Green Spine</td>
<td>$4,556,342.56</td>
<td>Refer to DCP</td>
<td>$2,017,956.02</td>
<td>44%</td>
</tr>
<tr>
<td>Strategic Planning and DCP</td>
<td>$427,448.00</td>
<td>Complete</td>
<td>$216,873.62</td>
<td>51%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$9,643,379.74</td>
<td></td>
<td>$5,174,650.75</td>
<td>54%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Area</th>
<th>Levies Payable by the Development per Demand Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Park</td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>5% Land contribution $20,383.64</td>
</tr>
<tr>
<td>A2</td>
<td>$125,530.52</td>
</tr>
<tr>
<td>Buffer Zone</td>
<td>$125,530.52</td>
</tr>
<tr>
<td>B</td>
<td>Clause 52.01</td>
</tr>
<tr>
<td></td>
<td>$20,383.64 per hectare Development Footprint Area</td>
</tr>
<tr>
<td></td>
<td>$603.07 per metre Maroondah Hwy frontage</td>
</tr>
<tr>
<td></td>
<td>$20,383.64 per hectare Development Footprint Area</td>
</tr>
<tr>
<td></td>
<td>$603.07 per metre Maroondah Hwy frontage</td>
</tr>
</tbody>
</table>

Note:  Contributions are listed in March 2012 values.

The Area in the first column of the Table is the Charge Area as shown on the Charge Areas Plan attached to this schedule and shown in the DCP.

The Development Contribution for each demand unit must be adjusted as follows:

- In relation to the costs associated with all infrastructure items other than land, the cost must be adjusted and the contribution amounts recalculated according to the following method:
- The capital costs of each infrastructure item must be adjusted by reference to the Producer Price Indexes Australia, General construction (41) Victoria (Table 15 – Selected Output of Division E Construction – Building Construction Victoria (for buildings) and Roads and Bridges Victoria (for roads, intersections, trails, bridges, etc.), published by the Australian Bureau of Statistics - Catalogue No. 6427.0.

- The revised infrastructure costs and the adjustment of the contributions must be calculated as at 1 July in each year.

  - In relation to the cost of land required under the DCP, the land value must be adjusted by adopting a revised land value for each parcel of land to be acquired based on the same valuation principles used for the original valuations.
  
  - The revised land value and the adjustment of the contributions must be calculated as of 1 July in each year.

  - Within 14 days of the adjustments being made, the Responsible Authority must publish a notice of the amended contributions in a newspaper circulating in the municipality.

4.0

Land or development excluded from development contributions plan

The Development Contributions Plan applies to all land identified in the Chirnside Park Major Activity Centre DCP for a period of 20 years.

Exemptions from development contributions apply to the following:

  - Development for a Church on the Salvation army site located at 305 Manchester Road, Chirnside Park.
  
  - Development and subdivision in the Buffer Zone as shown in the Development Contributions Plan providing the resulting lots are for residential use only and will comprise no more than 2 dwellings.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SPECIFIC CONTROLS OVERLAY

Purpose
To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

Use or development
Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

Expiry of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
# SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

## Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>Kaufland Supermarket and complementary uses, 266-268 Maroondah Highway, Chirnside Park, Incorporated Document, March 2019</td>
</tr>
<tr>
<td>SCO2</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO3</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO5</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO6</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO7</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO8</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO9</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>SCO10</td>
<td>30-32 Melba Highway, Yering - July 2016</td>
</tr>
<tr>
<td>SCO11</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
51

PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA
SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
## SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

### Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Realignment of Melba Highway</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Yarra Glen</td>
<td></td>
</tr>
<tr>
<td>Pt Lot 25 PS 5142</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Little Yarra Rd</td>
<td></td>
</tr>
<tr>
<td>Yarra Junction</td>
<td></td>
</tr>
<tr>
<td>Pt Lot 26 PS 5142</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Little Yarra Rd</td>
<td></td>
</tr>
<tr>
<td>Yarra Junction</td>
<td></td>
</tr>
<tr>
<td>Pt CA W and Pt CA 53Z1</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Milners Rd</td>
<td></td>
</tr>
<tr>
<td>Yarra Junction</td>
<td></td>
</tr>
<tr>
<td>Lots 7, 8 and 9 on PS 008099</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>6, 8 and 10 Albert Hill Road,</td>
<td></td>
</tr>
<tr>
<td>Lilydale</td>
<td></td>
</tr>
<tr>
<td>‘Signs Hill’ area, including the former Warburton</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Hospital and associated properties, Warburton.(PC</td>
<td></td>
</tr>
<tr>
<td>352767K, Lot 1 of TP 805036D, Lot 1 of TP 805035F</td>
<td></td>
</tr>
<tr>
<td>and Lot 6 of PS 48810).</td>
<td></td>
</tr>
<tr>
<td>31 Douglas Avenue, Warburton</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>215-217 Victoria Road, Yering</td>
<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
</tr>
<tr>
<td>Eastern Golf Club Yering, February 2013</td>
<td></td>
</tr>
</tbody>
</table>
METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

Purpose
To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.
To protect productive agricultural land from incompatible uses and development.
To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.
To encourage the location of urban activities in urban areas.
To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.
To provide deeming provisions for metropolitan green wedge land.

Application
These provisions apply to land in Metropolitan Melbourne that is outside an Urban Growth Boundary as shown on a planning scheme map in this scheme, unless any of the following apply:

- The land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Road Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

Use of land
A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 51.02-2

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></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>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.</td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be on land in a Rural Conservation Zone.</td>
</tr>
</tbody>
</table>

### Subdivision

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### Existing uses

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.
Transitional arrangements for permit applications

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

Deeming provisions for land outside an urban growth boundary

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.
### SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND

**Land where core planning provisions apply**

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land included in a Special Use Zone 2</td>
</tr>
<tr>
<td>All land included in a Special Use Zone 11</td>
</tr>
<tr>
<td>Special Use 7 Zone, Billanook College, 197-209 Cardigan Road and 14 Green St, Mooroolbark</td>
</tr>
<tr>
<td>Special Use 8 Zone, Little Yarra Steiner School, 205 Little Yarra Road, Yarra Junction</td>
</tr>
</tbody>
</table>
UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN

Purpose
To ensure consistency between this planning scheme and the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan pursuant to the requirements of Part 3A of the Planning and Environment Act 1987.

Application
This clause applies to all land subject to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan pursuant to the requirements of Part 3A of the Planning and Environment Act 1987.

Interpretation
If there is an inconsistency between any provision in this clause or a schedule to this clause and any other clause or provision of the Yarra Ranges Planning Scheme, the requirements of this clause or a schedule to this clause prevail.

Permit requirement
A permit is required to:
- Construct a building or construct or carry out works. This does not apply if the schedule to this clause specifically states that a permit is not required.
- Remove, destroy or lop any vegetation. This does not apply if the schedule to this clause specifically states that a permit is not required.

Any permit issued must meet the requirements of the schedule to this clause.

Use of land
The use of land must meet the requirements of the schedule to this clause.

Subdivision of land
The subdivision of land must meet the requirements of 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 the Municipal Planning Strategy and the Planning Policy Framework.
SCHEDULE TO CLAUSE 51.03 UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN

1.0

Regional strategy plan

The Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan aims to:

- Contain urban development to a level compatible with conservation of the Region's rich environmental features and with its high standards of amenity.
- Define, in a positive manner, boundaries and principles upon which containment is to be handled, including specific policies which deal with the transition between the Region and metropolitan Melbourne.
- Establish policies to promote a sustainable community in economic, social and environmental terms.
- Ensure that rural land in the Region is protected and maintained for agricultural and rural activities and that rural landscapes are protected and maintained.
- Achieve a balance between protection of natural environmental values and amenity, while developing a comprehensive economic and social infrastructure to adequately meet the current and future needs of residents and visitors.

2.0

Permit requirement for construction of buildings and works

The provisions of this Schedule do not apply to:

- Any buildings or works to which Clause 52.13-2, Clause 52.14, 52.12 or to which Clause 62.02-1 applies.
- Buildings and works carried out by the Emerald Tourist Railway Board (ETRB) that are located on land under the control of the ETRB and associated with the normal operations of the Puffing Billy Tourist Railway. The following conditions apply:
  - Normal operations includes: rail infrastructure (tracks, signals, communications, station buildings, platforms, rail storage yards, workshops and storage buildings for rolling stock and equipment); storage building / interpretation centre at Menzies Creek; café / kiosk, gift / souvenir shop within a station building or within the storage building/interpretation centre at Menzies Creek, and a car park for Puffing Billy patrons, volunteers and staff.
  - Normal operations exclude: tourist accommodation; a convention centre; a café, restaurant or licensed premises other than a café / kiosk specified in the condition above; a shop other than a gift / souvenir shop specified in the condition above; and a carpark associated with an activity outside normal operations.
  - Prior to constructing new buildings associated with the normal operations of the Railway the ETRB shall seek the views of Yarra Ranges Shire Council.
- A permit is not required under this Schedule to construct a building or construct or carry out works except for the buildings and works listed under the following subheadings.
- All other provisions of the Planning Scheme must be met.

Buildings or works near protected vegetation

A permit is required to construct a building or carry out works (including those matters listed in Clause 62.02-2) within 2 metres of any vegetation that is subject to a planning permit under the provisions of this Clause. This does not apply to any buildings or works occurring in the Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone and, Low Density Residential Zone*, Commercial 1 Zone or Commercial 2 Zone or the Industrial 1 Zone.
* This exemption does not apply to any buildings or works located within the Bickleigh Vale Village (SLO1) or to buildings in the Puffing Billy Scenic Railway Corridor (SLO21) - works are exempt provided they are associated with the normal operations and maintenance of the Puffing Billy Tourist Railway.

**Earthworks and retaining walls**
A permit is required in the Green Wedge Zone, the Green Wedge A Zone, and the Rural Conservation Zone for earthworks, filling, land forming, excavations and retaining walls that either:

- Are more than one metre in height or depth, or cover an area of more than 4000 square meters; or

- Are located beneath the canopy (the ‘drip line’) of any indigenous vegetation over 5 metres in height where a planning permit would be required to remove the vegetation.

**Fences**
A permit is required to construct a fence in a Green Wedge Zone, Green Wedge A Zone, Rural Living Zone or Rural Conservation Zone; unless the fence is a post and large spacing open weave wire fence less than 1.8 metres high.

**Buildings or works in the Mixed Use Zone, Rural Living Zone, Bickleigh Vale Village (SLO1) or Puffing Billy Scenic Corridor (SLO 21)**
A permit is required to:

- Construct a dwelling.

- Increase the floor area of an existing dwelling by more than 30 percent.

- Construct or extend outbuildings ancillary to a dwelling if the total floor area of all outbuildings will exceed 50 square metres.

- Construct any buildings or works with a height of more than 7 metres.

- Construct a building or carry out works within 10 metres of the bank of a waterway.

**Buildings or works in Public Use Zones**
A permit is required to construct a building or carry out works in the Public Use Zone, Public Conservation and Resource Zone and Public Park and Recreation Zone. This does not apply to exemptions listed in Clause 62.02-2 and Clause 62.03.

**Buildings or works in green wedge areas**
In a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone a permit is required to:

- construct any buildings or works with a height more than 7 metres;

- construct a horticultural structure if the following apply:
  - The land is in Schedule 1 or 3 to the Green Wedge Zone (GWZ1 or GWZ3) and the total area of all horticultural structures on the land exceeds 3,000 square metres;
  - The land is included in any other schedule to the Green Wedge Zone and the total area of all horticultural structures on the land exceeds 1500 square metres;
  - The land is in the Green Wedge A Zone or a Rural Conservation Zone and the total area of all horticultural structures exceeds 50 square metres.

In a Green Wedge Zone, Rural Conservation Zone or a Green Wedge A Zone a permit is required to erect a relocatable horticultural structure if:
It is placed on the land for more than 6 months in any 12 month period and

The total area of all horticultural structures on the land exceeds a site coverage of 60% or 3000 square metres (whichever is greater).

*A horticultural structure means a structure providing a controlled growing environment for horticulture or plant nursery. It includes a temporary or permanent igloo, plastic house, cloche, shade house, or glass house.*

### Use of Land

The following requirements apply in addition to any other provision of this planning scheme.

The following requirements do not apply to any use of land to which clause 52.13-2 or Clause 52.14 of the Scheme applies.

#### Tenement controls

##### Scope

This Clause only applies to land which:

- was within the former Shire of Lilydale or Shire of Sherbrooke;
- and is in the Green Wedge Zone, a Rural Conservation Zone or a Green Wedge A Zone, or Rural Living Zone (excluding land included in Schedule 2 to the Green Wedge A Zone (GWAZ2)).

##### Meaning of tenement holding

A tenement holding means one of a lot or all contiguous lots, parcels of land or Crown Allotments held in the same ownership on the following date specified for the zone within which the land is situated:

- In a Green Wedge Zone or Rural Conservation Zone:
  - 23 July 1982, if the land was in the former Shire of Lilydale
  - 8 July 1987, if the land was in the former Shire of Sherbrooke.
- In a Green Wedge A Zone:
  - 27 August 1980, if the land was in the former Shire of Lilydale.
  - 1 October 1980, if the land was in the former Shire of Sherbrooke.

##### Permit requirement for dwellings

A permit may only be granted to establish one dwelling on land if any of the following apply:

- The land is a parcel of land which existed as a tenement holding.
- The land is a lot created under an approved planning scheme or interim development order.
- The land consists of the consolidation of all parcels or lots within a tenement holding.
- The land is affected by a Restructure Overlay and conforms to the relevant Restructure Plan.
- The land forms part of a tenement holding and that part (and any other part in the tenement holding) exceeds the site area set down as follows for the zone within which the land is located:

##### Green Wedge Zone

- 2 hectares, if the land is included in Schedule 1 to the Green Wedge Zone (GWZ1).
- 25 hectares if the land is included in Schedule 6 to the Green Wedge Zone (GWZ6).
- 4 hectares, if the land is included in any other schedule to a Green Wedge Zone.
- **Rural Conservation Zone**
  - 25 hectares, if the land is included in Schedule 2 to the Rural Conservation Zone (RCZ2).
  - 4 hectares, if the land is included in any other schedule to the Rural Conservation Zone.

- **Green Wedge A Zone**
  - 4,000 square metres if the land is included in Schedule 1 to the Green Wedge A Zone (GWAZ1)

- **Consolidation of lots within tenement holdings**
  If a permit is granted to construct a dwelling on a tenement holding or part of a tenement holding which contains more than one lot, the permit must contain a condition requiring all of the land affected by the permit to be consolidated prior to the use of the land for a dwelling.

- **Tenement Anomalies**
  Despite the provisions of this Clause, a permit may be granted to establish one dwelling on specific lots, provided it is demonstrated to the satisfaction of the responsible authority that:
  - The development will not prejudice the primary purpose of the zone and local planning policies applying to the land.
  - The wider objectives of the tenement provisions are protected from incremental erosion and are maintained as a legitimate means of protecting the areas identified from inappropriate development.
  - Services such as constructed roads, reticulated water supply and reticulated sewerage are available, without additional substantial costs to the Council and servicing authorities, and the provision of these and other utility installations will have minimal impact on the environment or landscape of the area.
  - If reticulated sewerage is not available, the site is of sufficient size to enable proper onsite treatment of all wastes and retention of effluent.
  - If the land is in an area identified as having a high risk of wildfire hazard, appropriate building design measures will be undertaken to provide an acceptable level of protection.
  - The development will be consistent with the provision of any Environmental Significance Overlay, Heritage Overlay, Erosion Management Overlay or Land Subject to Inundation Overlay that applies to the land.
  - There will be no detriment to the ecology of any stream or watercourse on or near the site by virtue of the development.
  - The development can be considered to be infill in an area which is substantially built up.
  - Removal of native vegetation is minimised.

**Restaurant**

In a Green Wedge, Green Wedge A, Rural Conservation or Rural Living Zone a Restaurant must be associated with tourist accommodation, a tourist facility or established winery.

**Retail premises**

In a Green Wedge, Green Wedge A, Rural Conservation or Rural Living Zone a Retail premises (other than a Restaurant) must be associated with an agricultural activity being carried out on the land or provide recreation or tourist facilities in association with tourist accommodation.
Accommodation
In a Green Wedge Zone Schedule 1 GWZ1 land used for Accommodation (other than a Dwelling) which is providing for tourists and visitors must be associated with an existing intensive farming activity being carried out on the land.

Animal Production
In a Rural Conservation Zone, Green Wedge A Zone or Green Wedge Zone (GWZ1, GWZ2, or GWZ3) land must not be used for Intensive Animal Production, Pig Farm, Poultry Farm or Poultry Hatchery.

New Extractive Industry and Mining Operations
In a Green Wedge Zone, a Rural Conservation Zone, a Green Wedge A Zone, Farming Zone, or a Rural Living Zone new extractive industry and mining operations must not be established on land within any of the following:
- The Mt Dandenong Ridge Area (as defined in the Regional Strategy Plan).
- A National or State Park.
- A domestic water supply catchment.
- An Environmental Significance Overlay, a Significant Landscape Overlay shown as SLO21 on the planning scheme map (Puffing Billy Railway Scenic Corridor) or a Heritage Overlay.

Soil Removal
In a Green Wedge Zone, Rural Conservation Zone or Green Wedge A Zone, land may only be used for soil removal if the soil to be removed is:
- Surplus to the construction or maintenance of a dam which is necessary for the supply of water to an agricultural use or for a water supply purposes and its retention would reduce the land’s suitability or capability for an agricultural use.
- Surplus to the carrying out of an approved use or development, and its retention would prejudice the use or development of the land.
- Carried out by the Council, a government department, a public authority or a utility service provider in association with the provision of public works or a utility installation or for normal maintenance operations, provided sufficient suitable soil is retained on site for use in rehabilitation of batters and exposed earthworks.

Timber Production
In a Green Wedge Zone, Rural Conservation Zone, Green Wedge A Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone or a Public Use Zone:
- A permit is required to use land for timber production
- No timber production plantation may comprise the species Pinus Radiata (timber softwood species).

Place of Assembly
In a Green Wedge Zone, Green Wedge A Zone, a Rural Conservation Zone or Rural Living Zone a Place of assembly must be associated with an agricultural activity being carried out on the land or provide recreation or tourist facilities in association with tourist accommodation.

Minor Sports and Recreation Facility
In a Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone or Rural Living Zone a Minor sports and recreation facility must be associated with an agricultural activity being carried out on the land or provide recreation or tourist facilities in association with tourist accommodation.
**Existing Use Rights**

An existing lawful use that is prohibited by the provisions of this Schedule is deemed to be a use in Section 3 of the relevant zone for the purpose of determining any existing use rights under Clause 63.

**Vegetation Removal**

A permit is not required to remove, destroy or lop any vegetation if the vegetation is:

- Referred to in Clauses 52.13-2, 52.14, 53.06 or 52.12.
- On land in a Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone or Industrial 1 Zone. This exemption does not override the requirements of any Significant Landscape Overlay that applies to the land.
- Proclaimed as a noxious weed under the Catchment and Land Protection Act 1994.
- Listed as an environmental weed in the local planning policy for Vegetation Clause 22.05.
- Required to be removed, destroyed or lopped to provide for public works or the connection of utility installation, provided those works have the agreement of the Council and there will be no removal, destruction or lopping of remnant vegetation beyond that provided for in any relevant Code of Practice for Tree Clearing.
- Required to be removed, destroyed or lopped to provide for works carried out by the Emerald Tourist Railway Board and which are associated with the normal operations and maintenance of the Puffing Billy Tourist Railway.
- Within 2 metres of any lawfully existing building or branches overhanging an existing building, which may be pruned so that they are not overhanging or within 2 metres of the building.
- A plant species that does not occur naturally in the locality in which it is growing and which is less than 5 metres in height or vegetation that is required to be removed, destroyed or lopped as part of a normal domestic or agricultural, including horticultural practice for the species involved. This does not apply to the removal, destruction or lopping of vegetation if a permit is required under the Heritage Overlay.
- Native grass species and the removal, slashing or cutting is associated with an existing residential or permitted use or part of an existing farming operation.
- Dead, or has been assessed as being dangerous by an authorised officer of the responsible authority.
- Required to be removed, destroyed or lopped for fire prevention or suppression purposes in compliance with a notice given under the Country Fire Authority Act 1958 or the Forests Act 1958.
- Required to be removed, destroyed or lopped for the making of a fuel break by or on behalf of a public authority in accordance with a strategic fuel break plan approved by the Secretary of the Department of Sustainability and Environment. The maximum width of a fuel break must not exceed 40 metres.

All other provisions of the Planning Scheme must be met.

**Subdivision**

**Subdivision in the Green Wedge Zone, Green Wedge A Zone, Rural Living Zone and Rural Conservation Zone**

A permit may be granted to create lots that do not meet the land area requirements specified in a schedule to the Green Wedge Zone, Green Wedge A Zone, Rural Living Zone or Rural Conservation Zone if either of the following apply:
- The subdivision is the re-subdivision of two existing lots, the number of lots is not increased, the number of lots the land could potentially be subdivided into under the zone does not increase and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

All other provisions of the Planning Scheme must be met.

**Density Matrix**

A permit must not be granted to subdivide a lot that was created as a primary lot in a subdivision approved under the density matrix provisions of any planning scheme or other planning instrument that operated in the Shire between October 1982 and 19 May 2004.
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.
Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 Victoria Road, Chirnside Park being Lot 44 on PS026169 and further being the land described in Certificate of Title Volume 08348 Folio 146 to Volume 08348 Folio 148.</td>
<td>The restriction contained in instrument or transfer number 2646793.</td>
<td>The whole of the restriction is authorised for removal.</td>
</tr>
<tr>
<td>31 Victoria Road, Chirnside Park being Lot 45 on PS026169 and further being the land described in Certificate of Title Volume 08348 Folio 146 to Volume 08348 Folio 148.</td>
<td>The restriction contained in instrument or transfer number 2646793.</td>
<td>The whole of the restriction is authorised for removal.</td>
</tr>
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</table>

Under Section 24A of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></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 of native vegetation* (Department of Environment, Land, Water and Planning, 2017).

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).

### 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.
52.05

SIGNS

Purpose
To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements

Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>Clause 59.09</td>
<td></td>
</tr>
<tr>
<td>The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
</tbody>
</table>
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.

### 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 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 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>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>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td>2</td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3.5</td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td>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,</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>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td>3</td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>3.5</td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td>Milking depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
</tbody>
</table>

**YARRA RANGES PLANNING SCHEME**
<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>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>Motor repairs</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>4</td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>3</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>45º</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that 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.
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.
**BUSHFIRE PROTECTION: EXEMPTIONS**

**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>

YARRA RANGES PLANNING SCHEME
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.
- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.
- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.
- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.
- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.
- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.
- Any sign displayed must be directly associated with bushfire recovery.
- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

### 52.13-4

**Land in a Heritage Overlay**

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

### 52.13-5

**Land in a Land Management Overlay**

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

### 52.13-6

**Land in an Environmental Audit Overlay**

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

### 52.13-7

**Cessation of use**

A use must not continue after 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

**Decision guidelines**

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose
To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope
This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.

- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan
Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.

- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

### 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.

### 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.

### 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>Permit requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>No permit is required to use land for a helicopter landing site if any of the following apply:</td>
</tr>
</tbody>
</table>

**Emergency services**
The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.

**Agriculture**
The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.

**Public land management**
The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following:
- The Department of Environment, Land, Water and Planning;
- The Department of Economic Development, Jobs, Transport and Resources;
- Parks Victoria, whether on private land or not.

**General**
The helicopter landing site where either:
- The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided:
  - The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements).
  - Flight movements do not take place before 7am or after sunset on a weekday.
  - Flight movements do not take place before 8am or after sunset on a weekend or holiday; or
- The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

**Decision guidelines**

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).

- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Crown land</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Native 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 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>

| Extractive industry | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act. |

| Fire protection | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities: |
The requirement to obtain a permit does not apply to:

- fire fighting;
- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and mining</td>
<td>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:</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>Pest animal burrows</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Native vegetation that is to be removed, destroyed or lopped 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.</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>Railways</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>Regrowth</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>
</tr>
<tr>
<td></td>
<td>* bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>* within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>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>Road safety</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>Stone exploration</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.</td>
</tr>
<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 trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>* 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeanning and bulk sampling activities.</td>
</tr>
<tr>
<td>Surveying</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>Traditional owners</td>
<td>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
<tr>
<td></td>
<td>* a natural resource agreement under Part 6 of the Traditional Owner Settlement Act 2010; or</td>
</tr>
<tr>
<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>Utility installations</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
</tr>
<tr>
<td></td>
<td>* to maintain the safe and efficient function of a Minor utility installation; or</td>
</tr>
<tr>
<td></td>
<td>* by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
Native vegetation precinct plan

| Name of plan | None specified |
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

The requirement to obtain a permit does not apply to:

| Conservation work | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:
| | - which provides an overall improvement for biodiversity; and
| | - with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Crown land | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:
| | - by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or
| | - with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Dead native vegetation | Native vegetation that is dead.
| | This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. |
| Emergency works | Native vegetation that is to be removed, destroyed, or lopped:
| | - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or
<p>| | - 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. |</p>
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Details</th>
</tr>
</thead>
</table>
| **Existing buildings**                           | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to:  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building.                                                                                                                                         |
| **Existing buildings and works in the Farming Zone and Rural Activity Zone** | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to:  
  - the use or maintenance of a Dwelling; or  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building or works.                                                                                                                                |
| **Extractive industry**                          | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act.                                                                                                  |
| **Fences**                                       | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:  
  - the operation or maintenance of an existing fence; or  
  - the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence. |
| **Fire protection**                              | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:  
  - fire fighting;  
  - planned burning;  
  - making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
  - making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);  
  - in accordance with a fire prevention notice issued under either:  
    - Section 65 of the *Forests Act 1958*; or  
    - Section 41 of the *Country Fire Authority Act 1958*. |
The requirement to obtain a permit does not apply to:

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| Grasses | Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: |
| | - located within a lawn, garden or other landscaped area; or |
| | - maintained at a height of at least 10 centimetres above ground level. |
| Grazing | Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: |
| | - freehold land; or |
| | - Crown land in accordance with a license, permit or lease granted under applicable legislation. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| Harvesting for timber production - naturally established native vegetation | Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014* 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 to the construction or operation 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.

### Pest animal burrows

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree; or
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

### Planted vegetation

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

### Railways

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Regrowth

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:
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 costeasing 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*).

### Vehicle access from public roads
Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.

This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.

This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.

In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.*

### Weeds
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
### SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

#### 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>All land</td>
<td>Native vegetation for which no permit is required to remove, destroy or lop under the schedule to Clause 51.03</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>
</table>
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:

1. Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
2. 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.
3. No more than 20 clients are accommodated. This does not include staff.
4. 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:

1. 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.
2. 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.
3. 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.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
[NO CONTENT]
LICENCED PREMISES

Purpose
To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope
These provisions apply to premises licensed, or to be licensed, under the *Liquor Control Reform Act 1998*.

Permit required
A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the *Liquor Control Reform Act 1998*.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the *Liquor Control Reform Act 1998*.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications
An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

- The impact of the hours of operation on the amenity of the surrounding area.

- The impact of the number of patrons on the amenity of the surrounding area.

- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
## SCHEDULE TO CLAUSE 52.27

### 1.0 Permit not required

<table>
<thead>
<tr>
<th>Land</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### 2.0 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>Chirnside Park</td>
<td></td>
</tr>
<tr>
<td>Yarra Valley Centre</td>
<td>Land bounded by Anderson Street, Chapel Street, Castella Street and Morecroft Place, plus land on the southwest corner of Morecroft Place and Anderson Street, Lilydale</td>
</tr>
<tr>
<td>Lilydale</td>
<td></td>
</tr>
<tr>
<td>Churinga Village Shopping Centre</td>
<td>Land on the south side of Mt Dandenong Road, Kilsyth, between Mountain View Road and Colchester Road, north of the Kilsyth Recreation Reserve</td>
</tr>
<tr>
<td>Kilsyth</td>
<td></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></td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

**Application requirements**

An application must be accompanied by the following information as appropriate:

**Site and context analysis**

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*
  - Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**
- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the National Parks Act 1975 and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the Flora and Fauna Guarantee Act 1988 or the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**
- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

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
24/01/2020
VC160

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
24/01/2020
VC160

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
04/10/2018
VC149

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
04/10/2018
VC149

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:
- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

**Application to amend a permit under section 97I of the Act**

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.
**SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS**

**1.0 Permit requirement for dry stone walls**

<table>
<thead>
<tr>
<th>Land</th>
<th>All</th>
</tr>
</thead>
</table>

**YARRA RANGES PLANNING SCHEME**
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 if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
## Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

### Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

### Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
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>All land within Charge Area B as shown in Figure 3 of the Chirnside Park Major Activity Centre Development Contributions Plan, February 2013</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>
<tbody>
<tr>
<td><strong>AM 1.1</strong></td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>• The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>• The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>• Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td><strong>AM 1.2</strong></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>• That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>• 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:</td>
</tr>
<tr>
<td></td>
<td>-- 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.</td>
</tr>
<tr>
<td></td>
<td>-- A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td><strong>AM 1.3</strong></td>
<td>A building 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. 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></td>
<td>• Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

## 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.

## Bushfire protection objectives

### 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>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

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>
<tbody>
<tr>
<td>AM 3.1</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 defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>AM 3.2</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>- 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.</td>
</tr>
<tr>
<td></td>
<td>- Constructed to a bushfire attack level of BAL12.5.</td>
</tr>
</tbody>
</table>

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>
**Measure** | **Requirement**
--- | ---
AltM 3.5 | A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:
- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.
- The dwelling is constructed to a bushfire attack level of BAL FZ. This alternative measure only applies where the requirements of AltM 3.1 cannot be met.

AltM 3.6 | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:
- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

### 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.
Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

**Approved measures**

**Measure** | **Requirement**
--- | ---
AM 4.1 | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

AM 4.2 | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:
A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.

Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

### 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><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>
<tr>
<td><strong>AM 5.2</strong></td>
<td>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</td>
</tr>
<tr>
<td></td>
<td>- Each lot satisfies the approved measure in <strong>AM 2.1</strong>.</td>
</tr>
<tr>
<td></td>
<td>- A building envelope for a single dwelling on each lot that complies with <strong>AM 2.2</strong> and provides defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</td>
</tr>
<tr>
<td></td>
<td>- Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</td>
</tr>
<tr>
<td></td>
<td>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</td>
</tr>
<tr>
<td></td>
<td>- Defendable space wholly contained within the boundaries of the proposed subdivision.</td>
</tr>
<tr>
<td></td>
<td>- Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
</tr>
<tr>
<td></td>
<td>- Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</td>
</tr>
<tr>
<td></td>
<td>- Water supply and vehicle access that complies with <strong>AM 4.1</strong>.</td>
</tr>
<tr>
<td><strong>AM 5.3</strong></td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
### Measure | Requirement
---|---
**AM 5.4** | A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

### Alternative measure

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AltM 5.5</strong></td>
<td>A building envelope for a subdivision that creates 10 or more lots required under <strong>AM 5.2</strong> 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:</td>
</tr>
<tr>
<td></td>
<td>- All other requirements of <strong>AM 5.2</strong> have been met.</td>
</tr>
<tr>
<td></td>
<td>- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.</td>
</tr>
</tbody>
</table>

### 53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</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>48</td>
<td>35</td>
<td>25</td>
<td>19</td>
<td>&lt; 19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>33</td>
<td>24</td>
<td>16</td>
<td>12</td>
<td>&lt; 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>27</td>
<td>19</td>
<td>13</td>
<td>10</td>
<td>&lt; 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
<td>8</td>
<td>6</td>
<td>&lt; 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>6</td>
<td>&lt; 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Forest</strong></td>
<td><strong>57</strong></td>
<td><strong>43</strong></td>
<td><strong>32</strong></td>
<td><strong>24</strong></td>
<td><strong>&lt; 24</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td>&lt; 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Forest</strong></td>
<td><strong>69</strong></td>
<td><strong>53</strong></td>
<td><strong>39</strong></td>
<td><strong>31</strong></td>
<td><strong>&lt; 31</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td>&lt; 20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td>&lt; 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td>&lt; 13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Forest</strong></td>
<td><strong>82</strong></td>
<td><strong>64</strong></td>
<td><strong>49</strong></td>
<td><strong>39</strong></td>
<td><strong>&lt; 39</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
<td>25</td>
<td>&lt; 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
<td>19</td>
<td>14</td>
<td>&lt; 14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Defendable Space and Construction

**Note 1:** Slope and vegetation type is determined through the bushfire hazard site assessment.

**Note 2:** Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</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>Downslope &gt;15 to 20 degrees</td>
<td>Mallee/Mulga</td>
<td>26, 18, 11, 8, &lt;8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>45, 33, 23, 17, &lt;17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>28, 20, 13, 9, &lt;9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td>Forest</td>
<td>98, 78, 61, 50, &lt;50</td>
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<tr>
<td></td>
<td>Woodland</td>
<td>73, 56, 41, 32, &lt;32</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>43, 31, 21, 15, &lt;15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>31, 22, 15, 10, &lt;10</td>
<td></td>
<td></td>
<td></td>
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<td>Mallee/Mulga</td>
<td>29, 20, 13, 9, &lt;9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>56, 42, 29, 22, &lt;22</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>32, 23, 15, 11, &lt;11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Table 2 Defendable space and construction**

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
</tr>
</thead>
<tbody>
<tr>
<td>All upslopes and flat land</td>
<td>Forest</td>
<td>48, 35, 25, 19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(0 degrees)</td>
<td>Woodland</td>
<td>33, 24, 16, 12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
<td>Column D</td>
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<td>13</td>
<td>9</td>
<td>7</td>
<td>6</td>
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<tr>
<td>0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
<td></td>
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<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td></td>
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<td></td>
<td>Grassland</td>
<td>22</td>
<td>15</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
<td>53</td>
<td>39</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
<td>64</td>
<td>49</td>
<td>39</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
<td>25</td>
<td></td>
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<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
<td>28</td>
<td>19</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
<td>23</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>28</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;15 to 20 degrees</td>
<td>Forest</td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>73</td>
<td>56</td>
<td>41</td>
<td>32</td>
<td></td>
</tr>
</tbody>
</table>
Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space
<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>&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</td>
<td>There are no design and construction requirements if fire authority access</td>
</tr>
<tr>
<td>than 30 metres</td>
<td>to the water supply is not required under AM4.1.</td>
</tr>
</tbody>
</table>
Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet.

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.

A turning area for fire fighting vehicles must be provided close to the building by one of the following:

- A turning circle with a minimum radius of eight metres.
- A driveway encircling the dwelling.
- The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.

Passing bays must be provided at least every 200 metres.

Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

**Note 1:** The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

### Table 6 Vegetation management requirement

**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

Building construction condition

The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:

- 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
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors
ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position
iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the Sex Work Act 1994.

Permit requirement

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the Sex Work Act 1994.

Decision guidelines

Responsible authorities should consider the matters set out in section 73 of the Sex Work Act 1994 before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the Sex Work Act 1994, unless section 76(2) of Sex Work Act 1994 applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the Planning and Environment Act 1987, or
- An application to amend a permit in accordance with Part 4 Division 1A of the Planning and Environment Act 1987, or
- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the Planning and Environment Act 1987, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the Sex Work Act 1994.
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREEWAY SERVICE CENTRE

Purpose
To ensure that freeways 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 freeways 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 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

### Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review

The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose
To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance
The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Metal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>- other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                      |                            | Note 1 |
| Boiler makers                                 | 100                        |       |
| Structural or sheet metal production:        | 500                        |       |
| Works producing iron or steel products in amounts: |                  |       |
| • up to 1,000,000 tonnes per year            | 100                        |       |
| • exceeding 1,000,000 tonnes per year        | 1,000                      |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                    | 500                        |       |
| Bakery (other than one ancillary to a shop): | 100                        |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

**Miscellaneous Manufacturing**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fibreglass production:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Leather and artificial leather goods production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Rendering and casings works:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Rubber production, using either organic solvents or carbon black:</td>
<td>300</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Non-metallic Mineral Products**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
</tr>
<tr>
<td>- up to 5,000 tonnes a year</td>
<td>300</td>
</tr>
<tr>
<td>- between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
</tr>
<tr>
<td>- exceeding 150,000 tonnes a year</td>
<td>1,000</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
</tr>
<tr>
<td>• involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
</tr>
<tr>
<td>• from semi-processed materials</td>
<td>100</td>
</tr>
<tr>
<td>• from prepared cellulose &amp; rags</td>
<td>200</td>
</tr>
<tr>
<td>• by other methods than above</td>
<td></td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>Note 1</td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>Note 1</td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>Note 1</td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td>Note 1</td>
</tr>
<tr>
<td>• Accepting organic wastes</td>
<td>Note 1</td>
</tr>
<tr>
<td>• Other</td>
<td>100</td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>Note 1</td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>Note 1</td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td>Use distances in Paper &amp; Paper Products</td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td>Note 1</td>
</tr>
<tr>
<td>Textiles</td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
</tr>
<tr>
<td>• cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000</td>
</tr>
<tr>
<td>• other synthetic fibres and textiles</td>
<td>500</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
</tr>
<tr>
<td>• using carbon disulphide</td>
<td>500</td>
</tr>
<tr>
<td>• using other substances</td>
<td></td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
</tr>
<tr>
<td>Transport and Storage</td>
<td></td>
</tr>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
</tr>
<tr>
<td><strong>Wood, Wood Products &amp; Furniture</strong></td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
</tr>
<tr>
<td>• by the retort process</td>
<td>500</td>
</tr>
<tr>
<td>• other than by the retort process</td>
<td>1,000</td>
</tr>
<tr>
<td>Joinery:</td>
<td>100</td>
</tr>
<tr>
<td>Sawmill:</td>
<td>500</td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td>100</td>
</tr>
<tr>
<td>Wood-fibre or wood-chip products:</td>
<td>1,500</td>
</tr>
</tbody>
</table>
TIMBER PRODUCTION

Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the Forests Act 1958 and the Sustainable Forests (Timber) Act 2004, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
The role of native forest and plantations in:
- Protecting water quality.
- Conserving flora and fauna.
- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

The preservation of and impact on the natural environment, cultural heritage and visual amenity.

Whether it is appropriate to require environmental protection standards greater than those in the Code.
RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

Requirement
An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

Exemption from notice and review
An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

Purpose

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

Application requirements

An application must be accompanied by the following information, as appropriate:

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.

- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.
**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline (Department of Environment, Land, Water and Planning, August 2019).*

**Amendment VC161 transitional provisions**

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
RESOURCES RECOVERY

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

Application requirements

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

Decision Guidelines

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 – 30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
### Pig Class

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

#### 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>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>
<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 \( da \ V_{ave} < 0.35 \text{ m}^2/\text{s} \) (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 verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
  - Any relevant neighbourhood character objective, policy or statement set out in this scheme.
  - The design response.
  - Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
  - The visual impact of the building when viewed from the street and from adjoining properties.
  - The value of retaining vegetation within the front setback.
Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.
Standard A6
The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives
To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy 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 facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy 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

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.

54.04-2

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 A11

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

• For a length more than the distance specified in a schedule to the zone; or
• If no distance is specified in a schedule to the zone, for a length of more than:
  • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  • Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

• Any relevant neighbourhood character objective, policy or statement set out in this scheme.
• The design response.
• The extent to which walls on boundaries are part of the neighbourhood character.
• The visual impact of the building when viewed from adjoining properties.
• The impact on the amenity of existing dwellings.
• The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
• The orientation of the boundary that the wall is being built on.
• The width of the lot.
• The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
• Whether the wall abuts a side or rear lane.
• The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
The time of day that sunlight is available to the secluded private open space of the existing dwelling.

The effect of a reduction in sunlight on the existing use of the secluded private open space.

Overlooking objective
To limit views into existing secluded private open space and habitable room windows.

Standard A15
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram A4 Overlooking open space

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 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 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 objectives**

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

**Standard B1**

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

**Residential policy objectives**

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

**Standard B2**

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

**Dwelling diversity objective**

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Standard B3**

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

**Infrastructure objectives**

To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

### Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Standard B7**

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

### Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Standard B8**

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9
The site area covered by the pervious surfaces should be at least:
- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and residential buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy 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 facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Open space objective
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard B11
If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard B12
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.

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.

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.
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.

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**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**

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**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>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 roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to 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>Zone interface</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railways</td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
**Accessibility objective**
To ensure the design of dwellings meets the needs of people with limited mobility.

**Standard B41**
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

**Table B7 Bathroom design**

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td></td>
<td>readily removable hinges.</td>
<td></td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation</td>
<td>A clear path with a minimum width of 900mm from the door opening to the</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>area</td>
<td>circulation area.</td>
<td></td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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 useability, functionality and amenity of habitable rooms.

---

### Room depth objective

To allow adequate daylight into single aspect habitable rooms.

**Standard B47**

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

### Windows objective

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.

### Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:
- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:
- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:
- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood
  or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives
To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Standard C2
A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective
To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3
A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.

- Served by public transport that is connected to the regional public transport network.

- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.

- Located on arterial roads or connector streets.

- Of appropriate size to accommodate a mix of uses that meet local community needs.

- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.

- Respond to and integrate with the surrounding urban environment.

- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

### Solar orientation of lots objective

To provide good solar orientation of lots and solar access for future dwellings.

### Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

### Street orientation objective

To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10
Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Common area objectives
To identify common areas and the purpose for which the area is commonly held.
To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
To maintain direct public access throughout the neighbourhood street network.

Standard C11
An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12
An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives
To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.

- Provide a network of well-distributed neighbourhood public open space that includes:

  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.

  - Additional small local parks or public squares in activity centres and higher density residential areas.

  - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:

    - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space

    - Sufficient to incorporate two football/cricket ovals

    - Appropriate for the intended use in terms of quality and orientation

    - Located on flat land (which can be cost effectively graded)

    - Located with access to, or making provision for, a recycled or sustainable water supply

    - Adjoin schools and other community facilities where practical

    - Designed to achieve sharing of space between sports.

    - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.

- Be linked to existing or proposed future public open spaces where appropriate.

- Be integrated with floodways and encumbered land that is accessible for public recreation.

- Be suitable for the intended use.

- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.

- Maximise passive surveillance.

- Be integrated with urban water management systems, waterways and other water bodies.

- Incorporate natural and cultural features where appropriate.
ACCESS AND MOBILITY MANAGEMENT

Integrated mobility objectives
To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14
An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15
The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Public transport network objectives
To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area’s character and identity.
- Take account of any identified significant features.

**Walking and cycling network detail objectives**

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

**Standard C18**

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.

- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.

- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.

- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.

- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.

- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.

- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.

- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.

- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.

- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.

- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.

- Provide for the safe and efficient collection of waste and recycling materials from lots.

- Be accessible to people with disabilities.

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.

- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.

- Water sensitive urban design features.

- Location and species of proposed street trees and other vegetation.

- Location of existing vegetation to be retained and proposed treatment to ensure its health.

- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective
To provide for safe vehicle access between roads and lots.

Standard C21
Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane
A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume$^1$</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5m$^4$ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing$^5$</td>
<td>None</td>
</tr>
</tbody>
</table>

Footpath provision
Carriageway designed as a shared zone and appropriately signed.

Cycle path provision
None

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume$^1$</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. Or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</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>Kerbing⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>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.</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

**Access Street - Level 1**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>30kph</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.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>4m minimum each side</td>
</tr>
<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. 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.</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>Carriageway designed as a shared zone and appropriately signed.</td>
</tr>
</tbody>
</table>

**Access Street - Level 2**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>4.5m minimum each side</td>
</tr>
<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. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.</td>
</tr>
</tbody>
</table>
Be offset a minimum distance of 1m from the kerb.

**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 volume</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target speed</strong></td>
<td>50 kph&lt;sup&gt;2&lt;/sup&gt; reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</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.

- 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 width&lt;sup&gt;4&lt;/sup&gt;</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kerbing&lt;sup&gt;5&lt;/sup&gt;</strong></td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td><strong>Footpath provision</strong></td>
<td>1.5m wide footpaths on both sides.</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 volume&lt;sup&gt;1&lt;/sup&gt;</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target speed&lt;sup&gt;2&lt;/sup&gt;</strong></td>
<td>60 kph&lt;sup&gt;3&lt;/sup&gt; or 50km/h reduced to 40kph at schools.</td>
</tr>
<tr>
<td>Carriageway width², cycle lane provision, parking provision and bus stops within street reservation</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td></td>
</tr>
<tr>
<td>3.5m minimum lane width in each direction of travel.</td>
<td></td>
</tr>
<tr>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
<td></td>
</tr>
<tr>
<td>• 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
<td></td>
</tr>
<tr>
<td>• 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway</td>
<td></td>
</tr>
<tr>
<td>• 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</td>
<td></td>
</tr>
<tr>
<td>• 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.</td>
<td></td>
</tr>
<tr>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
<td></td>
</tr>
<tr>
<td>Bus stops located at the kerb side, not indented within the verge.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width⁴</th>
</tr>
</thead>
<tbody>
<tr>
<td>6m minimum each side (plus central median).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Kerbing³</th>
</tr>
</thead>
<tbody>
<tr>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Footpath and cycle path provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or</td>
</tr>
<tr>
<td>2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.</td>
</tr>
<tr>
<td>Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td>Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

### Arterial Road

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater than 7000vpd</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Target speed²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width³ &amp; parking provision within street reservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Key to Table C1</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1. Indicative maximum traffic volume for 24-hour period. These volumes depend</td>
</tr>
<tr>
<td>upon location. Generation rates may vary between existing and newly developing</td>
</tr>
<tr>
<td>areas.</td>
</tr>
<tr>
<td>2. Target speed is the desired speed at which motorists should travel. This is</td>
</tr>
<tr>
<td>not necessarily the design speed and is not greater than the marked legal speed</td>
</tr>
<tr>
<td>limit.</td>
</tr>
<tr>
<td>3. Width is measured from kerb invert to kerb invert. Widening may be required</td>
</tr>
<tr>
<td>at bends to allow for wider vehicle paths using appropriate Australian</td>
</tr>
<tr>
<td>Standards for on street and off-street parking but should not negate the</td>
</tr>
<tr>
<td>function of bends serving as slow points.</td>
</tr>
<tr>
<td>4. Verge width includes footpaths. Additional width may be required to</td>
</tr>
<tr>
<td>accommodate a bicycle path.</td>
</tr>
<tr>
<td>5. Where drainage is not required a flush pavement edge treatment can be used.</td>
</tr>
<tr>
<td>Layback kerbs are preferred for safety reasons. Upright kerbs may be</td>
</tr>
<tr>
<td>considered for drainage purposes or in locations where on-street parking</td>
</tr>
<tr>
<td>should be clearly defined and parking within the verge is not desired.</td>
</tr>
<tr>
<td>6. Turning requirements to access and egress parking on abutting lots may</td>
</tr>
<tr>
<td>require additional carriageway width. The recommended carriageway width of</td>
</tr>
<tr>
<td>5.5m will provide adequate access to a standard 3.5m wide single garage built</td>
</tr>
<tr>
<td>to the property line.</td>
</tr>
<tr>
<td>7. 50kph is the default urban speed limit in Victoria.</td>
</tr>
<tr>
<td>8. Target speed must not exceed the legal speed limit.</td>
</tr>
</tbody>
</table>
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
**Standard C25**

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_s V_{ave} < 0.35 \text{ m}^3/\text{s}$ (where, $d_s$ = average depth in metres and $V_{ave}$ = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives
To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27
Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives
To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28
The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29
Fire hydrants should be provided:
- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing
and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development,
or to construct or extend a dwelling in or forming part of an apartment development, if:
- The apartment development is five or more storeys, excluding a basement, and is in the General
  Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use
  Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority
  Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:
- Objectives. An objective describes the desired outcome to be achieved in the completed
development.
- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an
  application for an alternative design solution meets the objective, the alternative design solution
  may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority
  must consider before deciding if an application meets the objectives.

Requirements
A development:
- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from
a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in
Clause 58 applies.

For Clause 58.04-1 (Building setback):
- If a zone or a schedule to a zone specifies a building setback requirement different from a
  requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule
to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback
  requirement different from the requirement set out Clause 58.04-1 or a requirement set out in
  the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
URBAN CONTEXT REPORT AND DESIGN RESPONSE

Application requirements
An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report
The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report
If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.
Development should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective
To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7
Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective
To allow solar access into communal outdoor open space.

Standard D8
The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard D9
Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided.
Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.
Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Landscaping objectives
To encourage development that respects the landscape character of the area.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
To provide appropriate landscaping.
To encourage the retention of mature vegetation on the site.
To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

Standard D10
The landscape layout and design should:
- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.
If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:
- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
### Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

*Note:* Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

### Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

### Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

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 meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
• The design response.
• Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
• Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
• The capacity of the drainage network to accommodate additional stormwater.
• Whether the stormwater treatment areas can be effectively maintained.
• Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone interface</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railways</td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
• Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.

• Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</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:
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 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 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.
A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.

Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy 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 VICSMART APPLICATIONS

#### 1.0 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>

#### 2.0 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>

#### 3.0 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0

Information requirements

None specified

2.0

Decision guidelines

None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
62.02 BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1 Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
• Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

• A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

• An annexe attached to a movable caravan located on land used for a camping and caravan park.

• Works associated with geotechnical testing or service proving.

• Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

• The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

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62.02-2

**Buildings and works not requiring a permit unless specifically required by the planning scheme**

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

• A fence.

• The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).

• Roadworks.

• Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.

• Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.

• Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.

• Disability access and disability facilities associated with an education centre (not including a lift external to a building).

• Art work that is carried out by or on behalf of a public land manager.

• Oil pipelines.

• Buildings and works associated with a dependent person’s unit.

• The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.

• Repairs and routine maintenance to an existing building or works.

• Domestic services normal to a dwelling.

• A rainwater tank with a capacity of not more than 10,000 litres.

• Bicycle pathways and trails.

• A television antenna.

• A flagpole.

• A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy facility attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.

- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.

- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
**63.10**

DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the 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.
SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

• a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

• a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

• a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
• a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

• Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.

• Realign the common boundary between two lots (boundary realignment).

• Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

• The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.

• All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

• The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

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Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

• A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.

• A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.

• The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.

• In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994</td>
<td></td>
<td></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></td>
<td></td>
</tr>
<tr>
<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>
<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 or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A notification is required under the Occupational Health and Safety Regulations 2007.

A licence is required under the Dangerous Goods (Explosives) Regulations 2011.

A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.

To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:

- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.
- A notification is required under the Occupational Health and Safety Regulations 2007.
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.

A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.

---

**Stone Extraction**

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the Heritage Act 1995.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Determining referral authority</td>
<td></td>
</tr>
<tr>
<td>To use or develop land for stone extraction:</td>
<td>Secretary to the Department administering the Catchment and Land Protection Act 1994</td>
<td></td>
</tr>
<tr>
<td>- In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.</td>
<td>Determining referral authority</td>
<td></td>
</tr>
<tr>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<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></td>
<td></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></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Secretary to the Department administering the <em>Flora and Fauna Guarantee Act 1988</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the <em>Flora and Fauna Guarantee Act 1988</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Secretary to the Department administering Section 201 of the <em>Water Act 1989</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction if the land is intended to be used for land fill at a future date.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the Geothermal Energy Resources Act 2005</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the Greenhouse Gas Geological Sequestration Act 2008</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
## Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <em>Water Act 1989.</em></td>
<td>Secretary to the Department administering the <em>Water Act 1989.</em></td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></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>
<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>
</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>|             | An application to subdivide land.                                                                                                                                                                                   | Relevant fire authority                                                                                      | Recommending referral authority                               |
|             | An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.                                                    | Relevant fire authority                                                                                      | Determining referral authority                                 |
| Clause 44.07-4 (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>42.01 Schedule 2</td>
<td>Buildings and works that increase impervious areas by more than 10m² within the Little Stringybark Creek catchment.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | An application to use or subdivide land or construct a building for accommodation, education centre or hospital:  
  - Within an Extractive Industry Interest Area.  
  - On land which is within 500 metres of land on which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  These requirements do not apply to an 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.
1. 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>

YARRA RANGES PLANNING SCHEME
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.
ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- 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 Yarra Ranges Shire Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0
Responsible authority for administering and enforcing a provision of this planning scheme:
The Minister for Planning is the responsible authority for considering and determining applications, in accordance with Divisions 1, 1A, 2, and 3 of Part 4 of the Planning and Environment Act 1987 and for approving matters required by the planning scheme to be done to the satisfaction of the responsible authority in relation to the use and development of land at 12 Ornata Road, Mount Dandenong.

3.0
Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0
Responsible authority for VicSmart applications:
The Chief Executive Officer of Yarra Ranges Shire Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

Area covered by this planning scheme:

Municipal district of the Shire of Yarra Ranges.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).

- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.

- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

*Note:* A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

Zoning and Overlay maps:

- 1, 1BMO, 1EMO, 1ESO
- 2, 2BMO, 2EMO, 2ESO, 2HO
- 3, 3RO, 3BMO, 3EMO, 3ESO, 3HO
- 4, 4SLO, 4BMO, 4ESO, 4HO
- 5, 5SLO, 5BMO, 5ESO, 5HO
- 6, 6SLO, 6BMO, 6ESO
- 7, 7SLO, 7HO, 7BMO, 7ESO
- 8, 8SLO, 8DDO, 8BMO, 8ESO, 8EMO, 8HO
- 9, 9SLO, 9DDO, 9HO, 9PAO, 9LSIO, 9BMO, 9EMO, 9ESO
- 10, 10SLO, 10LSIO, 10BMO, 10EMO, 10ESO, 10HO
- 11, 11SLO, 11LSIO, 11RO, 11BMO, 11EMO, 11ESO, 11HO, 11SCO
- 12, 12EAO, 12SLO, 12DDO, 12HO, 12LSIO, 12RO, 12BMO, 12EMO, 12ESO, 12RXO, 12SCO
- 13, 13SLO, 13LSIO, 13BMO, 13EMO, 13ESO, 13HO
- 14, 14SLO, 14BMO, 14ESO, 14HO
- 15, 15SLO, 15BMO, 15EMO, 15ESO, 15HO, 15LSIO
- 16, 16SLO, 16RO, 16BMO, 16ESO, 16HO
- 17, 17SLO, 17LSIO, 17EMO, 17ESO, 17BMO
- 18, 18SLO, 18DDO, 18HO, 18LSIO, 18BMO, 18EMO, 18ESO
- 19, 19SLO, 19DDO, 19HO, 19PAO, 19LSIO, 19RO, 19ESO, 19SCO
- 20, 20SLO, 20HO, 20LSIO, 20BMO, 20EMO, 20ESO, 20BMO
- 21, 21SLO, 21LSIO, 21EMO, 21ESO, 21HO, 21BMO
- 22, 22SLO, 22DDO, 22HO, 22LSIO, 22RO, 22BMO, 22EMO, 22ESO
- 23, 23SLO, 23HO, 23PAO, 23RO, 23BMO, 23EMO, 23ESO, 23LSIO
- 24, 24SLO, 24BMO, 24ESO, 24HO, 24LSIO
- 26, 26SLO, 26HO, 26LSIO, 26EMO, 26ESO, 26DPO, 26BMO, 26SBO
- 27, 27SLO, 27DDO, 27HO, 27LSIO, 27RO, 27EMO, 27ESO, 27BMO, 27SBO
- 28, 28SLO, 28BMO, 28EMO, 28ESO, 28LSIO
- 29, 29SLO, 29LSIO, 29BMO, 29EMO, 29ESO
- 30, 30SLO, 30LSIO, 30BMO, 30EMO, 30ESO, 30HO
- 31, 31SLO, 31RO, 31BMO, 31EMO, 31ESO, 31HO, 31LSIO
- 32, 32SLO, 32HO, 32RO, 32BMO, 32EMO, 32ESO
- 33, 33SLO, 33LSIO, 33BMO, 33EMO, 33ESO, 33HO
YARRA RANGES PLANNING SCHEME

- 34, 34SLO, 34DDO, 34HO, 34LSIO, 34BMO, 34EMO, 34ESO, 34EAO
- 35, 35SLO, 35LSIO, 35RO, 35BMO, 35EMO, 35ESO, 35HO
- 36, 36SLO, 36RO, 36BMO, 36EMO, 36ESO, 36HO, 36LSIO
- 37, 37SLO, 37PAO, 37RO, 37BMO, 37EMO, 37ESO
- 38, 38SLO, 38BMO, 38ESO
- 39, 39SLO, 39DDO, 39EAO, 39LSIO, 39SBO, 39EMO, 39ESO, 39DPO, 39DCPO, 39SCO
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- 60, 60SLO, 60BMO, 60EMO, 60ESO, 60HO, 60LSIO
- 61, 61SLO, 61BMO, 61EMO, 61ESO, 61HO
- 62, 62BMO, 62ESO, 62HO
- 63, 63BMO, 63ESO, 63HO
- 64, 64SLO, 64BMO, 64ESO, 64HO
- 65, 65SLO, 65DDO, 65BMO, 65ESO, 65RXO, 65HO
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- 68, 68SLO, 68BMO, 68EMO, 68ESO, 68HO, 68DDO, 68SCO
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- 71, 71SLO, 71RO, 71BMO, 71EMO, 71ESO, 71LSIO
- 72, 72SLO, 72RO, 72BMO, 72EMO, 72ESO, 72HO, 72LSIO
- 73, 73SLO, 73HO, 73RO, 73BMO, 73EMO, 73ESO, 73LSIO
- 74, 74SLO, 74BMO, 74ESO, 74HO
- 75, 75SLO, 75HO, 75PAO, 75LSIO, 75RO, 75BMO, 75EMO, 75ESO, 75RXO
- 76, 76SLO, 76DDO, 76HO, 76LSIO, 76RO, 76BMO, 76EMO, 76ESO, 76RXO, 76DPO, 76SCO
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- 79, 79BMO, 79EMO, 79ESO, 79HO
- 80, 80SLO, 80BMO, 80ESO
- 81, 81SLO, 81BMO, 81ESO
- 82, 82EAO, 82SLO, 82LSIO, 82EMO, 82ESO, 82HO, 82BMO
- 83, 83EAO, 83SLO, 83LSIO, 83RO, 83BMO, 83EMO, 83ESO, 83HO, 83DDO
- 84, 84RO, 84BMO, 84EMO, 84ESO
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

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<th>Introduced by:</th>
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<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
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<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>
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<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
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<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>
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<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
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<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
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<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
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<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
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<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
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<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
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<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
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<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
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<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
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<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
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<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
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<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
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<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
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<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
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<td>Victorian Code for Cattle Feedlots, August 1995</td>
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<td>261 Mount Dandenong Tourist Road, Ferny Creek, Development and Use of Land for a Restaurant and a Caretaker’s House, November 2013</td>
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<td>30-32 Melba Highway, Yering, July 2016</td>
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<td>Amendment L145 to the former Lillydale Planning Scheme (Heritage Golf Course, Hughes Road, Chirnside Park)</td>
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<td>Amendment L3 to the former Healesville Planning Scheme (15 Healesville-Kooweerup Rd and 16 Airley Rd, Healesville)</td>
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<td>Billanook College Master Plan October 2011</td>
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<td>Chirnside Park Major Activity Centre, Development Contributions Plan, February 2013</td>
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<td>Concept Plan – Healesville Mandarin by G Burgess &amp; K Taylor dated February 1989 (Pt CAs 163 &amp; 163A, Maroondah Hwy and Mt Riddell Rd, Healesville)</td>
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<tr>
<td>Concept Plan Nos CP-3-5 by Mark Burns, dated June 1996 (140 Yarra Glen Road, Healesville)</td>
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<td>Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017</td>
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<td>Eastern Golf Club Yering, February 2013</td>
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<td>Healesville Commercial Precinct – February 2015</td>
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<td>Kaufland Supermarket and complementary uses, 266-268 Maroondah Highway, Chirnside Park, Incorporated Document, March 2019</td>
<td>GC123</td>
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<td>Lilydale Cemetery Incorporated Management Plan (August 2006)</td>
<td>C16(Part 2)</td>
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<td>Lilydale Street Trees Incorporated Management Plan (August 2007)</td>
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<td>Little Yarra Steiner School Special Use Zone 8 Master Plan Mar 2009</td>
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<tr>
<td>Overall Development Plan by Fulcrum Town Planners dated October 1996 (&quot;The Country Place&quot;, 180 Olinda Creek Road, Kalorama)</td>
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<tr>
<td>Plan No C6007 by Plan Printing &amp; Drafting, dated September 1985 (Lilydale Airfield)</td>
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<td>Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016</td>
<td>GC57</td>
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<td>Proposed 10 Year Development Plan 1991-2001, prepared by Michol Design and dated 25 July 1990 (Life Ministry Centre, Old Melbourne Road, Chirnside Park)</td>
<td>NPS1</td>
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<tr>
<td>Restructure Plan for Old and Inappropriate Subdivisions in the Yarra Ranges Council, December 2015</td>
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<td>Section 1A of Schedule 2 – Restricted Uses in Chapter 5 (Upper Yarra District) of the former Yarra Ranges Planning Scheme (Little Yarra Road, Gilderoy)</td>
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</tr>
<tr>
<td>St Hubert's Stables and Wine Cellar (Ruins) Incorporated Plan June 2007</td>
<td>C60</td>
</tr>
<tr>
<td>Symons Street Healesville Residential Precinct – February 2015</td>
<td>C131</td>
</tr>
<tr>
<td>Yarra Glen Cemetery Incorporated Management Plan (April 2005)</td>
<td>C51</td>
</tr>
</tbody>
</table>
WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

Date this planning scheme began:

20 July 2000
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents.

The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

### Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
# GENERAL TERMS

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbecue, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gaming machine</td>
<td>Has the same meaning as it has in the Gambling Regulation Act 2003.</td>
</tr>
</tbody>
</table>
| Garden area                               | 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. |
| Geelong G21 region                         | The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.                                                                                         |
| Gippsland region                          | The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.                                                                                  |
| Great South Coast region                  | The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.                                                                                                 |
| Gross floor area                          | The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.                                                               |
| Ground level                              | The natural level of a site at any point.                                                                                                                                                                |
| Habitable room                            | Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods. |
| High quality productive agricultural land  | Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:  
  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. |
<p>| Hume region                               | The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes. |
| Land capability assessment                | The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment. |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth's crust, including: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is:</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 <em>Sex Work Act 1994</em>.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance:</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>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. 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>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td>Pole sign</td>
<td>A sign: a) on a pole or pylon that is not part of a building or another structure; b) that is no more than 7 metres above the ground;</td>
</tr>
<tr>
<td>Sign term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>c) with an advertisement area not exceeding 6 square metres; and</td>
<td></td>
</tr>
<tr>
<td>d) that has a clearance under it of at least 2.7 metres.</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>a) on or above the roof of a building, but not a verandah;</td>
<td></td>
</tr>
<tr>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
<td></td>
</tr>
<tr>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
<td></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 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>Rural industry</td>
<td></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>Shop</td>
<td></td>
<td></td>
<td>Adult sex product shop, Corrective institution, Dependent person's unit, Dwelling, Group accommodation, Host farm, Residential aged care facility, Residential building, Residential village, Retirement village</td>
</tr>
</tbody>
</table>
| Adult sex product shop | Land used to sell or hire sexually explicit material, including:  
  a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and  
  b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour. |                                                                          | Shop                                                                                           |
| Agriculture        | Land used to:  
  a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;  
  b) keep, breed, board, or train animals, including livestock, and birds; or  
  c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters. |                                                                          | Animal husbandry, Aquaculture, Crop raising                                                  |
| Airport            |                                                                                                                                                                                                          |                                                                          | Transport terminal                                                                              |
| Amusement park     |                                                                                                                                                                                                          |                                                                          | Outdoor recreation facility                                                                     |
| Amusement parlour  | A building that contains:  
  a) three or more coin, card, or token operated amusement machines;                                                                                                                                   |                                                                          | Place of assembly                                                                               |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
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<tbody>
<tr>
<td></td>
<td>b) one or more coin, card, or token operated amusement machines with</td>
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<td></td>
<td>more than one screen or console that can be played by three or more people</td>
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<td></td>
<td>simultaneously; or</td>
<td></td>
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<td></td>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool</td>
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<td>tables.</td>
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<tr>
<td></td>
<td>It does not include coin, card, or token operated children's rides,</td>
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<td></td>
<td>amusement machines if there is the ability to receive a monetary reward,</td>
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<td></td>
<td>or premises used for a Bar or Hotel.</td>
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<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>
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<td></td>
<td></td>
<td>Animal training</td>
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<td></td>
<td></td>
<td>Apiculture</td>
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<tr>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
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<td></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
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<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,</td>
<td>Grazing animal production</td>
<td>Animal husbandry</td>
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<tr>
<td></td>
<td>eggs, fibre, meat, milk or other animal products.</td>
<td>Intensive animal production</td>
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<td></td>
<td></td>
<td>Pig farm</td>
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<td>Poultry farm</td>
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<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</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>dogs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>products.</td>
<td></td>
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<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate</td>
<td>Agriculture</td>
<td></td>
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<tr>
<td></td>
<td>aquatic plants.</td>
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<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such</td>
<td>Art and craft centre</td>
<td></td>
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<td></td>
<td>as handicrafts, paintings, and sculptures.</td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td>Gambling premises</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>Store</td>
<td></td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
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<tr>
<td>Bus terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td></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>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td></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>
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</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></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td>Food and drink premises</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></td>
<td></td>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Timber production</td>
<td></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></td>
</tr>
<tr>
<td>Department store</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>Dependent person's unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td></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>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</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 Domestic animal boarding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dwelling</td>
<td>A building used as a self-contained residence which must include:</td>
<td>Bed and breakfast Caretaker’s house</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td>a) a kitchen sink;</td>
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<td></td>
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<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>
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<td></td>
<td>It includes outbuildings and works normal to a dwelling.</td>
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</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre Employment training centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Primary school</td>
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<td></td>
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<td>Secondary school</td>
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<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>
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<tr>
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<td></td>
<td>Greenhouse gas sequestration</td>
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<td>Greenhouse gas sequestration exploration</td>
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<td></td>
<td>Geothermal energy exploration</td>
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<tr>
<td>Land use term</td>
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<tr>
<td>Geothermal energy extraction</td>
<td></td>
<td>Mining, Mineral exploration, Petroleum exploration, Petroleum production</td>
<td>Office</td>
</tr>
<tr>
<td>Mining</td>
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<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
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<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td></td>
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<td></td>
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<tr>
<td>Petroleum production</td>
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<td></td>
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<tr>
<td>Stone exploration</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Electoral office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
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</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility, Waste-to-energy facility</td>
<td>Education centre</td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery, Museum</td>
<td>Restricted retail premises</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. It includes: the rehabilitation of the land; and the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the</td>
<td>Earth and energy resources industry</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</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</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Convenience restaurant</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant</td>
<td></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>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td><strong>Fuel depot</strong></td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></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</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></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</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></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>
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</tr>
<tr>
<td><strong>Geothermal energy extraction</strong></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><strong>Golf course</strong></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td><strong>Golf driving range</strong></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. |
<p>|                               |                                                                           | Animal production                             |
| <strong>Greenhouse gas sequestration</strong> | 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 Greenhouse Gas Geological Sequestration Act 2008.</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>Transport terminal</td>
<td></td>
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<tr>
<td>Heliport</td>
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<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 Horse stables Animal husbandry</td>
<td>Horse husbandry Horse husbandry</td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td></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></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</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></td>
<td>Food and drink premises</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>
<tr>
<td>Industry</td>
<td>Land used for any of the following operations:</td>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) any process of manufacture;</td>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) dismantling or breaking up of any article;</td>
<td>Transfer station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) treating waste materials;</td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) any process of testing or analysis.</td>
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<td></td>
<td>If on the same land as any of these operations, it also includes:</td>
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<tr>
<td></td>
<td>a) storing goods used in the operation or resulting from it;</td>
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<tr>
<td></td>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td></td>
<td>Minor sports and recreation facility</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>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, Intensive dairy farm</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, Plant nursery</td>
<td>Retail premises</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, Minor sports and recreation facility, 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 1990.</em></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 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility, Informal outdoor recreation, Open sports ground, Outdoor recreation facility, Restricted recreation facility</td>
<td>Leisure and recreation</td>
</tr>
</tbody>
</table>
| Minor utility installation          | Land used for a utility installation comprising any of the following:  
a) sewerage or water mains;  
b) storm or flood water drains or retarding basins;                                                                                                   | Water retarding basin         | Utility installation         |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>c) flow measurement device or a structure to gauge waterway flow;</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>d) siphons, water storage tanks, disinfection booster stations and channels;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) gas mains providing gas directly to consumers;</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>g) a pumping station required to serve a neighbourhood;</td>
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</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></td>
<td></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></td>
<td></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>
</tr>
</thead>
<tbody>
<tr>
<td>Motor repairs</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motor vehicle, boat, or caravan sales</th>
<th>Car sales</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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
</tr>
<tr>
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</tr>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</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>
</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>
</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>
</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>
</tr>
<tr>
<td>Outdoor recreation</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
</tr>
<tr>
<td>facility</td>
<td></td>
</tr>
<tr>
<td>Paintball games</td>
<td></td>
</tr>
<tr>
<td>facility</td>
<td></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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Party supplies</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration as defined in the Petroleum Act 1998.</td>
</tr>
<tr>
<td>Petroleum production</td>
<td>Land used for petroleum production as defined in the Petroleum Act 1998.</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
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</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</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>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
</tr>
<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</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>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Race course</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Land used to keep, breed, board or train racing dogs.</td>
</tr>
<tr>
<td>Racing dog training</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>
</tr>
<tr>
<td>Real estate agency</td>
<td></td>
</tr>
<tr>
<td>Reception centre</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>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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<td>----------------------------</td>
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</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>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</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>
</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>
</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>
</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>
</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>
</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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td></td>
<td>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Land used by members of a club or group, or by members’ guests, for religious or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members’ guests, or by the public on payment of a fee.</td>
</tr>
<tr>
<td>Restricted retail premises</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>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
</tr>
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</tr>
</tbody>
</table>
| l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which:  
  ▪ Require a large area for handling, display and storage of goods; or  
  ▪ Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. |
| This does not include the sale of food, clothing and footwear unless ancillary to the primary use. |
| Retail premises | Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods. | Food and drink premises  
  Gambling premises  
  Landscape gardening supplies  
  Manufacturing sales  
  Market  
  Motor vehicle, boat, or caravan sales  
  Postal agency  
  Primary produce sales  
  Shop  
  Trade supplies |
| Retirement village | Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village. | Accommodation |
| Rice growing | | Crop raising |
| Road freight terminal | | Transport terminal |
| Rooming house | Land used for a rooming house as defined in the Residential Tenancies Act 1997. | Residential building |
| Rural industry | Land used to:  
  a) handle, treat, process, or pack agricultural produce;  
  Abattoir  
  Sawmill | Industry |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td>used in agriculture.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or</td>
<td>Car wash</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>vehicles.</td>
<td>Dry cleaner</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor repairs</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>Land used to sell motor vehicle fuel from bowsers, and lubricants. It</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>may include the:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>accessories or parts;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hiring of trailers;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) servicing or washing of motor vehicles; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) installing of motor vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>accessories or parts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shipping container</td>
<td>Land used to store shipping containers. It may include the cleaning</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>storage</td>
<td>repair, servicing, painting or fumigation of the shipping containers.</td>
<td></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</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>· the selling of bread, pastries, cakes or other products baked on</td>
<td>Beauty salon</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the premises;</td>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>· demonstrations of products</td>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>including music performances in shops selling recorded music.</td>
<td>Dry cleaning agent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>· food and drink premises;</td>
<td>Hairdresser</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laundromat</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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<td>------------------------------------------</td>
</tr>
<tr>
<td>gambling premises;</td>
<td></td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>landscape gardening supplies;</td>
<td></td>
<td>Supermarket</td>
<td></td>
</tr>
<tr>
<td>manufacturing sales;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>market;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>motor vehicle, boat, or caravan sales;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>postal agency;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>primary produce sales;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>trade supplies.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slipway</td>
<td></td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Land used to search for stone, including:</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) conducting geological, geophysical, and geochemical surveys;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) costeaning and bulk sampling;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) drilling; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) taking samples for chemical, physical, or other testing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td>Land used to store goods, machinery, or vehicles.</td>
<td>Boat and caravan storage</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shipping container storage</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vehicle store</td>
<td></td>
</tr>
</tbody>
</table>

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<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></td>
<td>Shop</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></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Telecommunications facility</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>Utility installation</td>
</tr>
<tr>
<td>Tertiary institution</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td></td>
<td>Trade supplies</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<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></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>Industry</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>Airport</td>
<td>Bus terminal/Heliport/Railway station/Road freight terminal/Wharf</td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Data centre/Minor utility installation/Reservoir/Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td></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>Store</td>
<td></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</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>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:</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) an anemometer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<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.

Accommodation group

Accommodation

- Camping and caravan park
- Corrective institution
- Dependent person’s unit
- Bed and breakfast
- Dwelling
- Caretaker’s house
- Group accommodation
- Host farm
- Residential aged care facility
- Community care accommodation
- Residential building
- Residential hotel
- Motel
- Residential village
- Rooming house
- Retirement village
Agriculture group

Animal production

Animal training

Apiculture

Domestic animal husbandry

Domestic animal boarding

Dog breeding

Horse husbandry

Horse riding school

Horse stables

Animal husbandry

Racing dog husbandry

Racing dog training

Aquaculture

Horticulture

Market garden

Crop raising

Rice growing

Timber production
73.04-3  Agriculture group (sub-group of Animal production)

Agriculture  Animal husbandry  Animal production  Intensive animal production  Cattle feedlot

Grazing animal production  Intensive dairy farm

Pig farm  Poultry farm  Broiler farm

73.04-4  Education centre group

Child care centre  Kindergarten

Employment training centre

Education 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

- Boat ramp
- Slipway
- Recreational boat facility
  - Jetty
  - Mooring pole
  - Pier
  - Pontoon
- Marina
Retail premises group

- Bar
- Convenience restaurant
- Hotel
- Restaurant
- Take away food premises
- Betting agency
- Gaming premises
- Garden supplies
- Plant nursery
- 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
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.