PURPOSE AND VISION

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

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

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

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

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

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

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

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

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Developing settlements that will support resilient communities and their ability to adapt and change.
- Balancing strategic objectives to achieve improved land use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Encouraging an integrated planning response between settlements in regions and in adjoining regions and states in accordance with the relevant regional growth plan.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.
- Improving transport network connections in and between regional cities, towns and Melbourne.

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

Limit urban sprawl and direct growth into existing settlements.
Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

Ensure land that may be required for future urban expansion is not compromised.

**Policy documents**

Consider as relevant:

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

Strategies

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

- 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.
11.02-2S
Structure planning

Objective
To facilitate the orderly development of urban areas.

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

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

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

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

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

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents
Consider as relevant:
- Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
- Precinct Structure Planning Guidelines (Growth Areas Authority, 2009)
- Ministerial Direction No. 12 – Urban Growth Areas
- The Victorian Transport Plan (Victorian Government, 2008)
Activity centres

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

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

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

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

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

Give clear direction on preferred locations for investment.

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

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

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

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

Encourage economic activity and business synergies.

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

Policy documents
Consider as relevant:

- Precinct Structure Planning Guidelines (Growth Areas Authority, 2009)
Activity centres - Metropolitan Melbourne

Strategies

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

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

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

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

Ensure Neighbourhood Activity Centres are located within convenient walking distance in the design of new subdivisions.
Growth areas

Objective

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

Strategies

Concentrate urban expansion into growth areas that are served by high-capacity public transport. Implement the strategic directions in the Growth Area Framework Plans.

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

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

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

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

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

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

Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

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

Develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
• Provide better transport choices.
• Respond to climate change and increase environmental sustainability.
• Deliver accessible, integrated and adaptable community infrastructure.

Policy documents
Consider as relevant:
• The Victorian Transport Plan (Victorian Government, 2008)
• Any applicable Growth Area Framework Plans (Department of Sustainability and Environment, 2006)
• Precinct Structure Planning Guidelines (Growth Areas Authority, 2009)
• Ministerial Direction No. 12 – Urban Growth Areas
Peri-urban areas

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

Strategies
Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.
Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.
Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.

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

Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.

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

Policy documents
Consider as relevant:
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013)
- *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)
- Melbourne Water’s Guidelines for Approval of Jetties (Melbourne Water, 2011)
- 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)
- Lower Yarra River Corridor Study - Recommendations Report (Department of Environment, Land, Water and Planning, 2016)
12.04 ALPINE AREAS
Sustainable development in alpine areas

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Alpine Resorts Strategic Plan (Victorian Government, Alpine Resorts Co-ordinating Council, 2012)
- The Memorandum of Understanding in relation to the Co-operative Management of the Australian Alps National Parks, agreed to by the member states and territories of Victoria, Australian Capital Territory and New South Wales
Environmentally sensitive areas

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

Planning should prepare for and respond to the impacts of climate change.
13.01 CLIMATE CHANGE IMPACTS
Natural hazards and climate change

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

Strategies
Consider the risks associated with climate change in planning and management decision making processes.
Identify at risk areas using the best available data and climate change science.
Integrate strategic land use planning with emergency management decision making.
Direct population growth and development to low risk locations.
Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.
Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.
Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.
Coastal inundation and erosion

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

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

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

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

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

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

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

Policy documents
Consider as relevant:
- *Victorian Coastal Strategy* (Victorian Coastal Council, 2014)
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
- State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 in metropolitan Melbourne
- Interim Guidelines for Control of Noise from Industry in Country Victoria (Environment Protection Authority, 1989)
Air quality management

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

Policy documents
Consider as relevant:

- State Environment Protection Policy (Waters of Victoria)
- Murray River Regional Environmental Plan No 2 (REP2) of New South Wales
- *Planning permit applications in open, potable water supply catchment areas* (Department of Sustainability and Environment, 2012)

### Water quality

**Objective**
To protect water quality.

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

**Policy documents**
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

- Water for Victoria (Department of Environment, Land, Water and Planning, 2016)
- Gippsland Region Sustainable Water Strategy (Department of Sustainability and Environment, 2011)
- Western Region Sustainable Water Strategy (Department of Sustainability and Environment, 2011)
- Northern Region Sustainable Water Strategy (Department of Sustainability and Environment, 2009)
- Central Region Sustainable Water Strategy (Department of Sustainability and Environment, 2006)
Resource exploration and extraction

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

Strategies
Provide for the long-term protection of natural resources in Victoria.
Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.
Recognise the possible need to provide infrastructure for the exploration and extraction of natural resources.
Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the Mineral Resources (Sustainable Development) Act 1990, the Greenhouse Gas Geological Sequestration Act 2008, the Geothermal Energy Resources Act 2005, or the Petroleum Act 1998.
Develop and maintain buffers around mining and quarrying activities.
Ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry.
Determine buffer areas between extractive activities and sensitive land uses on the following considerations:

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable State Environment Protection Policy.

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Urban design - Metropolitan Melbourne

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

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

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

Strategies
Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.
Ensure development responds and contributes to the strategic and cultural context of its location.
Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
Ensure development is designed to protect and enhance valued landmarks, views and vistas.
Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
Encourage development to retain existing vegetation.

Policy documents
Consider as relevant:

Subdivision design

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

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

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

- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.

- Being accessible to people with disabilities.

- Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.

Policy documents
Consider as relevant:

Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods - Metropolitan Melbourne

Strategy

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

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

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

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

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

Objective
To ensure development respects valued areas of rural character.

Strategies
Ensure that the siting, scale and appearance of development protects and enhances rural character. Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located. Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.
Energy and resource efficiency

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

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

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Aboriginal Heritage Act 2006
HOUSING

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

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

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

Objective

To promote a housing market that meets community needs.

Strategies

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

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

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

Facilitate the delivery of high quality social housing.

Policy documents

Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

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

Identify opportunities for increased residential densities to help consolidate urban areas.
Housing opportunity areas - Metropolitan Melbourne

Strategies

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
16.01-3S

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:

16.01-5S
21/09/2018
VC150

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:

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:


18.02-1S  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:

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

Objective
To plan for and manage land near commercial trading ports so that development and use are compatible with port operations and provide reasonable amenity expectations.

Strategies
Protect commercial trading ports from encroachment of sensitive and incompatible land uses in the port environs.

Plan for and manage land in the port environs to accommodate uses that depend upon or gain significant economic advantage from proximity to the port’s operations.

Ensure that industrially zoned land within the environs of a commercial trading port is maintained and continues to support the role of the port as a critical freight and logistics precinct.

Identify and protect key transport corridors linking ports to the broader transport network.

Ensure any new use or development within the environs of a commercial trading port does not prejudice the efficient and curfew free operations of the port.

Ensure that the use and intensity of development does not expose people to unacceptable health or safety risks and consequences associated with an existing major hazard facility.

Ensure that any use or development within port environs:

- Is consistent with policies for the protection of the environment.
- Takes into account planning for the port.

Policy documents
Consider as relevant:

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

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

Strategies
Protect airports from incompatible land uses.

Ensure that in the planning of airports, land use decisions are integrated, appropriate land use buffers are in place and provision is made for associated businesses that service airports.

Ensure the planning of airports identifies and encourages activities that complement the role of the airport and enables the operator to effectively develop the airport to be efficient and functional and contribute to the aviation needs of the state.

Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.

Protect the environs of Avalon Airport so it can operate as a full-size jet airport focussing on freight, training and services.

Recognise Essendon Airport’s current role in providing specialised functions related to aviation, freight and logistics and its potential future role as a significant employment and residential precinct that builds on the current functions.

Recognise Moorabbin Airport as an important regional and state aviation asset by supporting its continued use as a general aviation airport, ensuring future development at the site encourages uses that support and enhance the state’s aviation industry and supporting opportunities to extend activities at the airport that improve access to regional Victoria.

Maintain Point Cook Airfield as an operating airport complementary to Moorabbin Airport.

Preserve long-term options for a new general aviation airport south-east of Metropolitan Melbourne by ensuring urban development does not infringe on possible sites, buffer zones or flight paths.

Avoid the location of new airfields in areas that have greater long-term value to the community for other purposes.

Plan the location of airfields, nearby existing and potential development, and the land-based transport system required to serve them as an integrated operation.

Plan the visual amenity and impact of any use or development of land on the approaches to an airfield to be consistent with the status of the airfield.

Plan for areas around all airfields such that:

- Any new use or development that could prejudice the safety or efficiency of an airfield is precluded.

- The detrimental effects of aircraft operations (such as noise) are taken into account in regulating and restricting the use and development of affected land.

- Any new use or development that could prejudice future extensions to an existing airfield or aeronautical operations in accordance with an approved strategy or master plan for that airfield is precluded.

Policy documents
Consider as relevant:

- *National Airports Safeguarding Framework* (as agreed by Commonwealth, State and Territory Ministers at the meeting of the Standing Council on Transport and Infrastructure on 18 May 2012)
- *Avalon Airport Master Plan* (Avalon Airport Australia Pty Ltd, 2015)
- *Avalon Airport Strategy* (Department of Business and Employment/AeroSpace Technologies of Australia, 1993) and its associated Aircraft Noise Exposure Concepts
Melbourne Airport

Strategies

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

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

Policy documents

Consider as relevant:

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

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

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

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

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

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

Policy documents
Consider as relevant:


Freight links - Metropolitan Melbourne

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

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

Strategies
Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.
Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.
Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.
Renewable energy

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

Strategies
Facilitate renewable energy development in appropriate locations.
Protect energy infrastructure against competing and incompatible uses.
Develop appropriate infrastructure to meet community demand for energy services.
Set aside suitable land for future energy infrastructure.
Consider the economic and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.
Recognise that economically viable wind energy facilities are dependent on locations with consistently strong winds over the year.

Policy documents
Consider as relevant:

- **Solar Energy Facilities Design and Development Guideline** (Department of Environment, Land, Water and Planning, August 2019)
Renewable energy - Metropolitan Melbourne

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.
19.01-3S
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)
19.03 DEVELOPMENT INFRASTRUCTURE
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:
19.03-4R

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 (MSS) applies to all land within the municipality. It sets out the vision, objectives and strategies for managing land use change and development in the City of Hobsons Bay. The MSS should be read as a whole and in the context of the operation of the State Planning Policy Framework as set out in Clause 10 of this scheme. It provides the nexus between State Planning Policy and the local context of Hobsons Bay and identifies how State policies apply in the local context. It provides the basis for the application of local policies, zones, overlays and other provisions in the Hobsons Bay Planning Scheme and ensures that it is responsive to local issues and characteristics.

The MSS is divided into sections.

21.01 The first section provides an introduction to the MSS. It sets out how to use the MSS.
21.02 The second section provides a snapshot of the municipality and key influences and issues for land use planning and development facing the municipality. It also sets out the strategic vision.

The objectives and strategies of the MSS are set out under the following themes:

21.03 Settlement
21.04 Open Space
21.05 Environment
21.06 Built Environment and Heritage
21.07 Housing
21.08 Economic Development
21.09 Transport and Mobility
21.10 Infrastructure
HOBSONS BAY KEY ISSUES AND STRATEGIC VISION

Snapshot of Hobsons Bay

Hobsons Bay is sometimes described as the hidden gem of Melbourne’s west. It is located on the northern shore of Port Phillip Bay between seven and 20 kilometres south-west of central Melbourne. It shares boundaries with the City of Wyndham to the west and the Cities of Maribyrnong and Brimbank to the north. To the east and the south, the municipality is bounded by water. The municipality has an area of 66 square kilometres.

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

Over the next decade or so, Hobsons Bay’s population is forecast to increase to 89,800 in 2015 and reach 91,500 by 2020. Most of that growth is expected to be in the Altona North and Spotswood – South Kingsville neighbourhoods. This can largely be attributed to suburb regeneration and the transition of Strategic Redevelopment Areas to residential use.

The age structure of the population is generally similar to that of the MSD. Approximately 17 per cent are aged under 18 years and a further 18 per cent are aged 60 years and over. Like the rest of metropolitan Melbourne, Hobsons Bay has an ageing population.

While families with children under 15 years make up 40 per cent of all family types and are the predominant family type, one quarter of all households comprise people living alone. This is about two per cent above the MSD rate.

The number living in each household is 2.53 people, lower than the MSD figure of 2.61. By 2020 the average household size in Hobsons Bay is forecast to drop to 2.43 people.

Hobsons Bay is located on the eastern extremity of the lava plains that stretch from Melbourne to Mount Gambier in South Australia. The volcanic plains of Melbourne’s Western Region are characterised by flat topography, basalt rock and originally, extensive native grassland with relatively few substantial trees.

Hobsons Bay’s rich natural environment is one of its greatest treasures. The area boasts over 20 kilometres of beaches and foreshore areas and is home to significant coastal wetlands, several creek systems, remnant native grasslands, and important flora and fauna habitats. The coastline is a major feature of the geography of Hobsons Bay and contains sections that are relatively unchanged by urban or recreational development.

The municipality shows huge potential for economic development due to its proximity to Melbourne’s CBD and accessibility to ports and airports. The municipality is bounded by the Westgate Freeway/Princes Highway to the north and the west. It is traversed east – west by the national freight rail line. The large tract of industrial land at the western end of the municipality is particularly well placed to take advantage of this road and rail network.

Areas where there are major concentrations of industry have been designated as Core industrial. These areas are relatively unconstrained by sensitive uses and provide opportunities for new growth. Some of the State’s most significant industries, including petrochemical and petroleum refining industries are located here. Secondary Industrial areas designate smaller concentration of industry that remain of strategic importance to Hobsons Bay in terms of local economic development and employment. Protection of Core and Secondary Industrial areas is vital and non industrial protrusions that do not support the purpose of Core and Secondary Industrial areas will not be supported.

The culture of Hobsons Bay embraces a sense of pride and belonging. It celebrates the diversity of its people, their traditions, values and heritage to create and enhance an active community life for its people.
Key influences

The key influences in relation to the municipality are:

- Accommodating residential growth for future generations to facilitate urban consolidation.
- Increasing residential development pressure on heritage areas and coastal areas.
- Protection of environmentally significant areas for future generations.
- Operation of the municipality’s national and state significant industries.
- Expansion of the Port of Melbourne.
- Increasing freight and traffic movement associated with the expansion of the Port of Melbourne and residential growth to the west of Melbourne.
- Protecting the local economy to ensure long term economic development and employment opportunities.
- The impacts of climate change, particularly the threat of sea level rise.
- Supporting healthy and sustainable activity centres.
- Managing the impacts associated with increasing tourism.

Key Issues

The key issues facing Hobsons Bay are focused around the following strategic themes:

Settlement and Housing

- Protecting the quality and character of existing suburbs from pressure associated with urban consolidation.
- Protecting places and precincts of local heritage significance from inappropriate development.
- Protecting the foreshore from increasing high rise residential development pressure.
- The use of basement parking in areas potentially at risk from climate change, particularly sea level rise and storm surge events.
- Pressure to rezone and develop Strategic Redevelopment Areas prior to completion of a necessary planning framework.
- Defining a new neighbourhood character for the Strategic Redevelopment Areas which balances character and costs associated with remediation of former industrial sites.
- Accommodating urban growth largely in Strategic Redevelopment Areas to facilitate urban consolidation.
- Encouraging environmentally sustainable development.
- Balancing sustainable design with the protection of local heritage.

Environment

- Protecting and managing biologically significant areas including the Cheetham Wetlands, Williamstown Foreshore, Altona Bay, Kororoit Creek, Altona Foreshore, Truganina Drainage Basin and Greenwich Bay to ensure their environmental values for future generations.
- Protecting and managing the municipality’s creeks, waterways and wetlands to ensure their environmental and/or recreational value for the enjoyment of future generations, including:
  - Kororoit, Cherry, Skeleton and Laverton Creeks.
  - Cherry Creek Wetland (incorporating Cherry Lake).
  - Newport Lakes.
  - Truganina Swamp.
  - Altona Coastal Park.
  - Jawbone Flora and Fauna Reserve.
  - Williamstown Wetlands.

- Balancing development with the protection and management of areas of Native Grasslands.

- Protecting and managing the foreshore and the coast for public use and enjoyment.

- Protecting residents from the impacts of the increasing attraction of the foreshore and coastal areas as tourist destinations, particularly with regard to traffic and parking.

- Protecting and enhancing natural and cultural heritage significance for the enjoyment of future generations.

- The impacts of climate change, particularly sea level rise and storm surge events.

- Reducing greenhouse gas emissions.

- Encouraging environmental sustainability.

**Economic Development**

- Protecting National and State significant industries, including some of Victoria’s largest petroleum, chemical and manufacturing industries from encroachment of residential or other sensitive uses.

- Supporting the growth, development and expansion of industrial enterprises in Core and Secondary industrial areas.

- Limitation on the establishment and redevelopment of industries due to the application of Employee Population Density Controls.

- Managing the movement of freight and industrial traffic through the municipality to minimise local impacts.

- The sustainable growth of designated major activity centres.

- Responding appropriately to development pressure and activity to support the growth of other sustainable activity centres.

- Supporting and strengthening existing businesses.

- Managing the impacts of increasing tourism on local amenity, particularly in respect of traffic and parking.

- Developing a balanced local economy and local employment opportunities for residents.

**Infrastructure**

- Increasing traffic congestion from growing freight movement and residential growth in Hobsons Bay and neighbouring municipalities, particularly Wyndham.

- Increasing traffic congestion due to the limited number of access roads to the municipality and lack of north - south transport routes in the municipality.

- Improving connectivity by facilitating the provision and enhancement of north - south linkages.
• Increasing shortage of on-street parking in Williamstown associated with existing historical built form and on-site parking dispensations.

• Providing new and replacing ageing infrastructure to meet the needs of existing and future residents, businesses and industries in response to increasing populations, particularly in and around Strategic Redevelopment Areas.

• Providing well designed community facilities in convenient locations throughout the municipality.

• Ensuring the provision of appropriate community and social infrastructure to integrate new residential neighbourhoods within established areas.

• Providing attractive, functional and sustainable built form in existing and future developments.

• The restructure of inappropriate subdivisions.

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Strategic Vision

The Council’s vision for Hobsons Bay is:

• ‘Working together to achieve a vibrant, diverse and sustainable community that simultaneously pursues economic success, environmental quality and social equity to provide opportunities for all.’

• Hobsons Bay has a strong commitment towards achieving positive environmental, cultural, social, economic and urban planning outcomes that promote an equitable and inclusive community through a City that:
  - Allows for increased housing growth and provides for diverse housing needs in a way that complements the valued urban village characteristics of its neighbourhoods.
  - Encourages sustainable development and design excellence.
  - Encourages built form that achieves harmony between the old and new fabric.
  - Values and protects its natural, historic and cultural landforms and buildings as local, regional and state tourist attractions.
  - Values its retail strip shopping centres and maintains their village character and atmosphere.
  - Recognises the contribution of its National and State significant and major industrial enterprises and protects and supports their continued operations.
  - Balances and manages the expansion of industries with residential growth to protect amenity.
  - Provides employment opportunities through a diversity of industrial uses.
  - Encourages ‘green’ industry which respects the community and the environment.
  - Manages and appropriately addresses the interface between industry and other sensitive uses.
  - Provides for an integrated network of convenient, functional, accessible and sustainable modes of transport.
  - Protects and enhances the coast, waterways, flora and fauna, parks and open spaces with their distinct natural features.
  - Encourages residents and visitors to value the environment and use it to enhance their health and wellbeing.
  - Supports a diverse range of tourism, leisure and cultural attractions and experiences to enhance the quality of life of residents and visitors without detracting from the municipality’s village character and atmosphere.
The key to achieving this vision is the recognition that various parts of the municipality have to be managed differently and that development potential must consider and respond to local neighbourhood context. A ‘one size fits all approach’ across the municipality cannot be applied.

**Strategic Framework Plan**

The Hobsons Bay Strategic Framework Plan (Figure 1) provides an overview of land use in Hobsons Bay. It identifies locations where specific land use outcomes will be supported and promoted.

The major strategic directions identified in the Hobsons Bay Strategic Framework Plan include:

- Transitioning appropriate Strategic Redevelopment Areas and major activity centres to accommodate urban growth.

- Significant open space areas, including:
  - The coastline and foreshore.
  - Biologically significant Cheetham Wetlands, Williamstown Foreshore and Altona Bay.
  - Areas of faunal significance including Kororoit Creek, Altona Foreshore, Truganina Drainage Basin and Greenwich Bay.
  - Laverton North Grasslands.
  - Valuable ecological and environmental areas of Cherry Lake, Newport Lake, Truganina Swamp, Altona Coastal Park and the Jawbone Flora and Fauna Reserve.

- Areas of local heritage significance.

- Coastal areas at risk from high rise residential development.

- Areas at risk from climate change.

- Major transport links.

- Areas identified for Core industrial and Secondary industrial areas.

- Areas and features identified for tourism potential.
Figure 1 - Strategic Framework Plan
SETTLEMENT

Activity Centres

There is an established network of activity centres in Hobsons Bay. The centres range from three major activity centres being Williamstown, Altona Beach and Altona Gate Shopping Centre, to 13 neighbourhood activity centres. The remaining centres are small and local. Each centre has its own unique characteristics. A supermarket-based Neighbourhood Activity Centre and mixed use/commercial area is planned at the former industrial Precinct 15 in Altona North. The vision is to create vibrant activity centres providing a range of retail and social opportunities which meet the needs of the community; provide a focus for community life; encourage ongoing employment and business opportunities; enhance liveability for the local community; and attract visitors and encourage investment.

Objective 1

To retain and strengthen existing activity centres in the municipality to cater for the shopping needs of residents, workers and visitors.

Strategies

- Retain and enhance the individual character of the activity centres in the municipality.
- Strengthen the mix of land uses within the centres to support the activity centres and meet community needs.
- Ensure that residential development near activity centres does not compromise existing commercial businesses.
- Discourage the conversion of marginal activity centres to industrial uses.

Objective 2

To encourage further commercial and service business development within activity centres.

Strategies

- Focus major new retailing activities to key activity centres in the municipality.
- Encourage commercial development in strip centres to encourage consolidation of retail activities.
- Encourage and support a diversity of retail facilities in activity centres to meet needs not readily catered.
- Use public art as a catalyst for business growth and amenity improvements, as appropriate.
- Discourage the location of new commercial uses outside activity centres unless the proposed location is in response to a specific demonstrated need.

Objective 3

To enhance the amenity, liveability and economic viability of the existing activity centres in the municipality.

Strategies

- Encourage businesses and activities that increase opportunities for social interaction, recreation and enjoyment of the arts.
- Encourage the location of community facilities and services where there is an identified need.
- Balance the amenity of adjacent residential areas with new commercial uses.
- Ensure the provision of an appropriate supply of well designed car parking spaces within activity centres to service the land uses available.
- Ensure that new commercial uses and development contributes to the supply of car parking in activity centres.
- Ensure that new commercial uses and development address traffic flow in and around centres.
- Enhance trading by improving pedestrian and vehicular access.
- Ensure that new commercial uses and development facilitates public transport use, pedestrian flows and bicycle use.
- Encourage the provision of on-site ‘end of trip’ facilities in new development.
- Enhance the viability of activity centres through urban design or related improvements.
- Discourage non retail uses at ground level in the core retail areas of activity centres.
- Encourage and retain active frontages adjacent to footpaths in the core retail areas of activity centres, including using security systems that do not screen the shopfront or shop windows.
- Create a more distinctive identity through co-ordinated signage and themes.
- Reduce the proliferation of electronic gaming machines through Activity Centre planning.

**Objective 4**
To maintain and enhance the role of the existing Williamstown Activity Centre.

**Strategies**
- Conserve the historic quality of heritage places through careful consideration of proposed developments.
- Protect and enhance the national heritage significance of the Nelson Place streetscape.
- Ensure heritage places can be viable places for users without compromising the cultural heritage significance of the place or the amenity of surrounding uses.
- Identify areas to accommodate additional retail floor space in the centre.
- Enhance tourism opportunities within and around the Williamstown Activity Centre.
- Facilitate linkages between the Williamstown Activity Centre and other leisure, entertainment and recreational nodes.
- Protect the viability of the nearby marine activities to the Williamstown Activity Centre.
- Consider innovative solutions to the provision of car parking where the required on-site parking cannot be provided and alternative arrangements provided for in the planning scheme are not reasonable or viable.
- Improve local area traffic and car parking management within and around the Williamstown Activity Centre.

**Objective 5**
To maintain and enhance the role of the Altona Beach Activity Centre.

**Strategies**
- Encourage a centre with a positive identity and strong sense of place, defined retail/commercial precincts and a focus for community activity.
- Create strong visual linkages and physical connections to the foreshore, Port Phillip Bay, the regional open space network and Cherry Lake.
- Encourage and facilitate a wide range of activities, facilities and services for the local community in the Altona Beach Activity Centre.
Encourage a mix of retail uses to reinforce existing retail activity and encourage new and continuing investment.

Encourage the Altona Beach Activity Centre as a public transport hub and interchange for the local community, commuters and tourists.

Encourage and facilitate the Altona Beach Activity Centre as a focus for diverse residential development.

Encourage tourist and visitor facilities in the foreshore precinct (Pier Street, Queen Street to the Esplanade and the Esplanade, Sargood Street to Davies Street).

Provide safe and easy pedestrian, bicycle and vehicular access throughout the centre, linking the beach and foreshore to Cherry Lake and the recreation facilities through Pier Street.

Enhance the environmental qualities of the Altona Beach Activity Centre, particularly the foreshore, Cherry Lake and Logan Reserve.

Enhance and reinforce the visual amenity of the Altona Beach Activity Centre via urban design, landscape and built form.

Encourage uses that complement the recreational and tourism potential of the area.

**Objective 6**

To maintain and enhance the role of the existing Newport Activity Centre.

**Strategies**

- Promote and facilitate the development of the Newport Activity Centre as a cultural/ art/ tourism precinct.
- Facilitate residential development in and around the Newport Activity Centre.
- Improve the visual amenity of the Newport Activity Centre through urban design and landscape initiatives to streetscapes and other public spaces.
- Improve the integration of activities in the Newport Activity Centre by facilitating convenient and attractive ways of moving within and around the centre, particularly linkages to shops and services separated by the railway corridor and main road overpass.
- Improve pedestrian amenity in the Newport Activity Centre by enhancing the linkage of the centre separated by the railway corridor and main road and facilitating local pedestrian amenity through signage, safety, accessibility and landscaping.
- Encourage and work with relevant Government departments and agencies to upgrade infrastructure to improve connectivity within the Newport Activity Centre.

**Objective 7**

To maintain and enhance the role of the existing Central Square Activity Centre.

**Strategies**

- Encourage the expansion of the Central Square Activity Centre’s role to include community and health facilities.
- Ensure that any extension of retailing activities in Central Square Activity Centre is appropriate in scale in relation to existing centres nearby and contains a range of other uses to facilitate its role as a community focus for the local neighbourhood.
- Encourage and facilitate the expansion of retail facilities to meet needs not readily catered for in existing centres.
- Encourage and facilitate opportunities for medium density housing near the centre.
Objective 8
To create a distinctive and appealing identity for the Aviation Road Activity Centre through an improved user amenity and expanded range of shops and services.

Strategies
- Facilitate the development and performance of the Aviation Road Activity Centre.
- Encourage and facilitate the improvement and expansion of the retail business mix in the centre.
- Make the centre more functional in terms of traffic and parking for the local catchment population.

Objective 9
To enhance the economic opportunities and provide planning certainty for activities on Millers Road, Altona between the Westgate Freeway and the railway line to the south.

Strategies
- Require the preparation of a Structure Plan to ensure a comprehensive approach to development of land between the Westgate Freeway and the railway line to the south.
- Improve transport, pedestrian safety and car parking in the area.

Objective 10
- To encourage the establishment of a bulky goods precinct on land fronting Millers Road, 24-42 Cabot Drive and 290-298 Millers Road, Altona North and the Strategic Redevelopment Area identified as Precinct 9 within the Hobsons Bay Industrial Land Management Strategy 2008.

Strategies
- Ensure a comprehensive and integrated approach to development in accordance with the Design and Development Overlay.
- Support restricted retail premises at this location.
- Provide a range of restricted retail uses that do not compromise the operation of other activity centres.
- Ensure that use and development for a bulky goods precinct at this location minimises the impact on the amenity of surrounding residential land.
- Encourage built form and development that focuses on public and community based transport systems that support the majority of customer and workforce travel needs.
- Ensure that any redevelopment of this site includes Environmentally Sustainable Design (ESD) principles including Water Sensitive Urban Design (WSUD), energy efficient development and water reuse.

Implementation
These strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)
- Use local policy at Clause 22.01 Heritage to ensure that all new commercial development in mostly intact heritage streetscapes relates to the form, scale, massing and street patterning directly adjacent to it, or where the streetscape has been altered over time, the surrounding heritage area.
- Use local policy at Clause 22.05 in the consideration of planning applications to address the shortage of available car parking in Williamstown.
- Use local policy at Clause 22.06 to contribute to the development of the Altona Beach Activity Centre as a vibrant village with a sustainable future.

- Use local policy at Clause 22.11 in the consideration of signage applications to ensure that the form and amount of outdoor advertising is appropriate to the character of the area, the streetscape and the building on which it is located and adds visual interest.

- Use local policy at Clause 22.12 to identify appropriate locations for gaming machines.

**Application of zones and overlays**

- Apply the Commercial Zones to existing retail and commercial activity centres.

- Apply a Heritage Overlay over places and precincts of identified heritage significance located within activity centres.

- Apply the Mixed Use Zone in the Altona Beach Activity Centre to land designated to provide a range of residential, commercial, office and limited industrial and other uses which complement the mixed-use function of the locality.

**Further Strategic Work**

- Review and prepare new structure plans to guide the planning and future development of Activity Centres including:
  - Williamstown
  - Newport
  - Altona Gate Shopping Centre and Millers Road between the Westgate Freeway and the railway line to the south including the former Altona North Technical School
  - Spotswood
  - Woods Street.

- Undertake a landscape and streetscape strategy and guidelines in conjunction with the preparation of a structure plan for the Altona Gate Shopping Centre and Millers Road between the Westgate Freeway and the railway line to the south.

- Review the Activity Centres Strategy for the municipality. The Review should address whether the smaller and/or marginal activity centres have a retail future and facilitate alternative land use, as appropriate.


- Review the Commercial 2 Zone applying to 511 to 519 Melbourne Road, Newport.

**Reference Documents**

Hobsons Bay Industrial Land Management Strategy 2008
Williamstown Activity Centre Parking Study 2009
Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Landscape Design Guidelines 1999
Williamstown/Altona Coastal Parklands Plan 1997
Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGMs) Policy Statement 2015
21.03-2

Strategic Redevelopment Areas

Objective 1

To successfully manage the transition and strategic redevelopment of redundant industrial areas identified as Strategic Redevelopment Areas through the development of Outline Development Plans (i.e. a master plan) or other appropriate planning controls to achieve net community benefit.

Strategies

- Manage change in Strategic Redevelopment Areas carefully; protect the existing and ongoing viable use of existing industries; retain employment generating uses where possible; and subject to appropriate justification, introduce new land uses.

- Require the following matters be addressed, as appropriate, in consideration of applications for change in Strategic Redevelopment Areas:
  - the extent of contamination
  - range of future uses
  - all infrastructure requirements including community facilities and open space
  - potential off site impacts, and measures to manage them
  - traffic management plans which address connectivity within and between sites
  - staging of development
  - mechanisms/proposals to protect ongoing viable industries from encroaching sensitive uses such as buffer distances and acoustic measures to attenuate noise levels within the new development
  - future character of the area and potential impact on neighbouring residential character
  - measures to protect ongoing viable industry
  - Social Impact Assessment
  - impact of electronic gaming machines
  - incorporation of Environmentally Sustainable Design principles
  - diversity in housing choice including affordable housing
  - appropriate zoning and planning controls to guide future development and manage the potential impact of interface issues on adjoining land uses.

- Require the preparation of an Outline Development Plan (i.e. a master plan), for Strategic Redevelopment Areas that are no longer suitable for traditional industrial uses and are in multiple ownership in consultation with land owners, adjoining land owners, key government stakeholders and the Council to ensure that the Strategic Redevelopment Area as a whole can integrate with its surrounds and address significant interface issues.

- Support applications for site specific rezoning only if the applicant can demonstrate that the proposal will not prejudice the future development of the remainder of the precinct and that it is consistent with an Outline Development Plan or Master Plan that has been prepared to manage overall change in the precinct.

- Ensure that there is an appropriate interface between conflicting land uses when planning for the redevelopment of redundant industrial sites identified as Strategic Redevelopment Areas.

- Require residential and other new sensitive land uses to include appropriate measures to protect residential amenity including noise attenuation within new buildings and appropriate design and siting of private open space to protect occupants’ amenity.
- Ensure that there is an appropriate interface between existing and future land uses within redundant industrial areas identified as Strategic Redevelopment Areas when planning for redevelopment of the precinct.

- Where appropriate, consider the potential for new character in future residential areas of the Strategic Redevelopment Areas.

- Ensure the provision of appropriate community infrastructure or an adequate contribution to support new communities.

- Ensure that the existing road layout and subdivision pattern that defines and characterises the broader neighbourhood is considered and respected by new development.

**Implementation**

These objectives and strategies will be implemented by:

**Policy Guidance (criteria for the exercise of discretion)**

- Use the Schedule to Clause 52.01 to specify that a cash contribution of 5% of the site value is required as part of the subdivision of land in the former Port Phillip Woollen Mill site in Williamstown.

- Use local policy at Clause 22.01 to ensure that heritage issues are given appropriate consideration at an early stage when making decisions about the future uses and development of industrial sites.

- Use local policy at Clause 22.02 to ensure the viability of ongoing industries.

- Use local policy at Clause 22.11 to ensure that signs respond to the character and amenity of areas and do not detract from the character of a locality, building or site.

**Application of zones and overlays:**

- Apply the Comprehensive Development Zone, based on a Comprehensive Development Plan, for Precinct 15 in Altona North to transition it to a residential/mixed use precinct.

- Apply the Development Contributions Plan Overlay to the Former Port Phillip Woollen Mill Site in Williamstown.

- Apply the Design and Development Overlay, or a Development Plan Overlay or other appropriate planning control to implement the Hobsons Bay Industrial Land Management Strategy 2008 to manage the transition of redundant industrial land identified as a Strategic Redevelopment Areas for alternative uses.

- Apply the Development Plan Overlay or Design and Development Overlay to ensure that new, refurbished and converted developments for new residential and other noise sensitive uses constructed in proximity to existing industry include appropriate acoustic measures to attenuate noise levels within the building and private open space areas.

- Apply the Environmental Audit Overlay to contaminated sites.

- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to land identified as being flood prone.

- Apply the Heritage Overlay to conserve characteristics that contribute to the individual identity of heritage places and precincts within Hobsons Bay and ensure that their cultural significance is not diminished by the loss of any fabric which contributes to the significance of the heritage place or precinct and inappropriate new development.

**Further Strategic Work**

- Prepare Outline Development Plans (i.e. a master plan) for entire precincts identified as Strategic Redevelopment Areas in the Industrial Land Management Strategy 2008 prior to consideration of rezoning applications.
- Manage the transition of the Strategic Redevelopment Areas as outlined in the Hobsons Bay Industrial Land Management Strategy 2008, through the development of Outline Development Plans, Development Plan Overlays, Design and Development Overlays or other planning tools, as appropriate, to ensure an integrated development that, amongst other things, ensures appropriate buffer distances are maintained from nearby industry and the ongoing operations of the Port are protected.

- Review the level of existing facilities and services to meet the needs of new communities.

**Reference documents**

- Hobsons Bay Landscape Design Guidelines 1999
- Hobsons Bay Advertising Signs Guidelines 1999
- Hobsons Bay Industrial Land Management Strategy 2008
- Hobsons Bay Industrial Development Design Guidelines June 2008
- Intergrated Municipal Public Health and Wellbeing Plan - The Hobsons Bay 2030 Community Vision together with the Council Plan 2017-21
- Ageing Well Strategy 2007-2017
- Disability Action Plan 2008-2012
- Port Phillip Woollen Mill Development Contributions Plan 2015-25, April 2016
- Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGMs) Policy Statement 2015
OPEN SPACE

Overview
Open space contributes significantly to the character of Hobsons Bay. It is a key contributor to the City’s character and plays a significant role in distinguishing and defining its image. Open space can also play an important role in easing the impact of urbanisation. It enhances quality of life and encourages physical activity. As the population grows and housing density increases, private backyards are diminishing in size, leading to a more important role for public open spaces in community life. Having regard to the combination of typical physical barriers to pedestrian movement, the distances people are prepared to walk and what open space is nearby, some areas of the municipality are under supplied with local open space to meet residential leisure needs.

People need parks to be accessible and offer a variety of quality experiences.

Objective 1
To provide adequate open space and continue to develop a variety of open spaces to provide for a range of experiences and leisure opportunities that are accessible for all people.

Strategies
- Provide open space generally in accordance with the following:
  - Local parks.
  - Sports grounds.
  - Regional parks.
- Protect and enhance the Hobsons Bay Coastal Park as the main park in the municipality which contains the Hobsons Bay Coastal Trail and provides the primary connections to waterways running to the coast.
- Protect and enhance the waterways parks which are the next most significant element of the open space system in terms of area and function to provide connections from northern areas in the municipality and from the Federation Trail to the coast.
- Protect and enhance the remaining 200 large and small parks dotted throughout residential areas including the five major non-coastal parks used mainly for sport, being Comben Reserve (on Skeleton Creek), Laverton Park (on Laverton Creek), Grant Reserve (on Cherry Creek and Lake), Paisley Park (on Paisley Drain) and Newport Lakes.
- Establish linear parks along Skeleton, Stony, Kororoit and Laverton Creeks, as well as drainage and other corridors to provide opportunities for cycling and walking and to enhance the environmental appeal of the municipality.
- Provide appropriate open space in each neighbourhood to serve a range of age and interest groups and provide a diversity of opportunities.
- Ensure effective open space assessments are undertaken in the process of changing uses, assessing development and subdivision proposals and the potential rationalisation of open space in the municipality.
- Allocate and spend the open space funds collected under the Subdivision Act in accordance with:
  - The open space needs of incoming residents.
  - Opportunities for new facilities in existing adjacent or nearby open space.
  - Opportunities to link with existing open space.
  - Improving the usability and quality of open space.
- Provide open space in areas identified as having a deficiency, through shared use of facilities, identifying opportunities for new parks, enlarging existing parks and providing linkages to other open space areas.

- Enhance accessibility and useability of the trail network through development, safety, and linkages to other public uses and residential areas.

- Encourage landowners to set aside privately owned land along watercourses for public open space.

- Ensure the provision of appropriate open space to support new communities.

- Protect the cultural features of open space and where appropriate provide interpretation.

**Objective 2**

To enhance the quality of diverse leisure opportunities available in the open space system throughout the municipality.

**Strategies**

- Develop a range of active and passive open space throughout the municipality based on needs.

- Provide facilities to encourage greater usage by people of all age groups and abilities.

- Provide playground equipment in highly accessible locations for people with disabilities.

**Objective 3**

To develop the Kororoit Creek corridor as a major focus for recreation and community activities.

**Strategies**

- Create a continuous shared trail along the creek by completing gaps in the Kororoit Creek Trail.

- Improve connections between existing open spaces, community facilities and the creek.

- Protect landscapes which are representative of the Kororoit Creek corridor.

- Facilitate the provision of boardwalks to manage pedestrian and bicycle access to protect the salt marsh areas of the Altona Coastal Park.

- Discourage visible car parks within sight from the Altona Coastal Park and locate new infrastructure to the edges of the creek corridor or on adjacent access roads to maintain the landscape character of the Altona Coastal Park.

**Implementation**

These strategies will be implemented by:

**Policy Guidance (criteria for the exercise of discretion)**

- Use local policy at Clause 22.01 to ensure new development in heritage areas responds positively to special features such as views, vistas, significant vegetation and landmarks and enhances the historic cultural landscape character found in a street or precinct.

- Use local policy at Clause 22.11 to ensure that signs do not detract from the character of a locality or site.

**Application of zones and overlays**

- Apply the Public Park and Recreation Zone to public recreation facilities and areas of public open space.

- Apply a Heritage Overlay over places and precincts of identified heritage significance.

- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to land identified as being flood prone.
• Apply the Environmental Significance Overlay along the Kororoit Creek corridor to facilitate recreational use and access and to enhance its environmental and landscape values.

**Further Work**

• Provide co-ordinated development of facilities by preparing master plans for significant open space areas.

• Review the Open Space Plan 2005.

• Develop a Play Space Strategy for the municipality.

• Undertake a Sports and Recreation Strategy to provide Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions with regard to recreation and open space in a manner which best meets the community’s needs.

**Reference Documents**

Kororoit Creek Regional Strategy 2005-2030
Hobsons Bay City Council Kororoit Creek Masterplan 2006
Point Gellibrand Park Coastal Heritage Park Master Plan (Revised 2003)
Williamstown Foreshore Strategic Plan 2010
Sustainable Tourism Strategy 2006-2012
Rehabilitation and Management Plan Sandy Point and Greenwich Bay Foreshore Newport 1998
Hobsons Bay Landscape Design Guidelines, 1999
Hobsons Bay Industrial Development Design Guidelines June 2008
ENVIRONMENT

OVERVIEW

The municipality is home to open spaces of international, national, state and regional conservation significance comprising the foreshore, salt marsh, waterways, wetlands, remnant vegetation and mangroves. This system of open spaces and waterways surrounds and punctuates Hobsons Bay’s urban areas and create a distinctive landscape providing nature conservation and breathing spaces. It is also important for regional drainage, flood management, riparian habitat and water quality functions.

Natural Assets

Objective 1

To protect and conserve the biodiversity of open space and watercourses as habitat for indigenous flora and fauna.

Strategies

Conservation and Protection of Habitat

- Protect and conserve the environmental and cultural significance of open space, in particular flora, fauna and geomorphology.
- Facilitate the protection of native flora and fauna and seek to preserve their natural habitats in a manner that ensures their long-term survival.
- Continue to support environmental conservation as a valid use of open space.
- Where appropriate, support the revegetation of open space and watercourses using indigenous species to enhance and protect biodiversity.
- Strengthen, protect and encourage extensions to habitat corridors to enhance and protect biodiversity.
- Encourage the retention and expansion of the open space conservation areas to ensure opportunities for people to experience the natural environment.
- Protect and maintain the visual environment and amenity of the open space conservation areas.

Design and Built Form

- Ensure that development enhances the environmental and conservation values of open space.
- Ensure the establishment of dense vegetated buffer zones for the protection of drainage lines.
- Encourage major industrial land uses to contribute towards the improvement of watercourses and open spaces in their localities and to integrate the landscaping of their internal site buffers with adjoining public open spaces.
- Promote innovative, attractive design and presentation of facilities and provide appropriate landscape screening to sensitive areas.
- Encourage the establishment and use of public art in appropriate public realm locations to enhance environmental, cultural and heritage values.

Objective 2

To identify, manage and protect waterways, flood plains and other flood prone areas to minimise the impacts of flooding in urban and non-urban areas.
Strategies

- Encourage the design of developments to minimise the impact of stormwater runoff to manage stormwater quality and quantity from the site.
- Encourage the use of treatment methods such as wetlands and litter traps for the control of urban runoff.
- Prevent incompatible land use and development in areas affected by flood risk to avoid intensifying flooding impacts in urban and non-urban areas.
- Ensure that sediment runoff during the construction phase is minimised by requiring the development of environmental management plans incorporating best practice environmental management (refer to EPA publication No. 480 Environmental Guidelines for Major Construction Sites).

Implementation

The strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)

- Liaise with the floodplain authority on a continuing basis to identify urban and non-urban areas affected by flood risk.
- Discourage land use and development proposals which generate significant adverse impacts on the local waterways and capacity of the local drainage system.
- Implement and apply existing Strategic Directions Plans and Master Plans.
- Use local policy at Clause 22.11 to ensure that signs respect and respond to the character and amenity of sensitive areas.

Application of zones and overlays

- Apply the Public Park and Recreation Zone and Public Conservation and Resource Zone to areas of environmental significance.
- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to land identified as being flood prone.
- Apply the Environmental Significance Overlay, Significant Landscape Overlay and the Vegetation Protection Overlay to areas identified as being environmentally significant.
- Apply a Heritage Overlay over places and precincts of heritage significance.

Further Strategic Work

- Investigate the impact of projected sea level rise and storm surge on the municipality and consider options to manage it.
- Develop guidelines for habitat protection to be used in the assessment of development applications.
- Introduce land use and development control measures into the Hobsons Bay Planning Scheme in consultation with the floodplain authority, to minimise the impact of development on the local and regional drainage systems.
- Develop a Greening Framework for the municipality and undertake planting to strengthen the landscape character, emphasising areas of high visibility such as gateways, major boulevards and creeks.
- Undertake a Sports and Recreation Strategy to provide Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions with regard to recreation and open space in a manner which best meets the community’s needs.
- Undertake a review of the Open Space Plan 2005.
Reference Documents
Kororoit Creek Regional Strategy 2005-2030
Hobsons Bay City Council Kororoit Creek Masterplan 2006
Point Gellibrand Park Coastal Heritage Park Master Plan (Revised 2003)
Sustainable Tourism Strategy 2006-2012
Rehabilitation and Management Plan Sandy Point and Greenwich Bay Foreshore Newport 1998
Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Landscape Design Guidelines 1999
Hobsons Bay Industrial Land Management Strategy 2008

The Coast

Overview
Hobsons Bay’s coastline is one of the municipality’s most attractive assets and defining features. Its views towards the city, beaches, coastal parks and scenic drive create a diversity of tranquil and active recreational experiences while respecting its environmental and heritage values for current and future generations to enjoy.

Objective 1
To protect and enhance the environmental values and significant features of the coast.

Strategies

- Require the proper management of storm water discharges to the bay from new and existing development and the discharge of effluent to the sewer or approved treatment or re-use systems.
- Give consideration to the marine environment in the assessment of any planning issues relating to the coast.
- Promote catchment management as the most effective and sustainable approach to improving the marine environment.

Objective 2
To ensure that coastal land is planned and managed in accordance with local strategies.

Strategies

- Continue to work towards achieving continuous parkland along the southern coast of Hobsons Bay.
- Retain and extend public ownership of the coastline.
- Create a continuous open space and waterway system between Point Gellibrand and Cheetham Wetlands/Point Cook.
- Provide links between each part of the coastal parks through the construction of the Bay Trail.
- Encourage the removal of the tank farm at Point Gellibrand and increase public access to Breakwater Pier.
- Conserve Point Gellibrand’s remaining historical features in recognition of the cultural heritage of the site.
- Maintain the ‘wild’ spirit of Point Gellibrand Park through a very open and ‘unmanicured’ landscape character.
- Maintain the coastal road through the Point Gellibrand Coastal Park.
- Continue to work towards achieving a continuous pedestrian link along the foreshore between Commonwealth Reserve and the Seaworks site in Williamstown.

**Objective 3**
To manage, conserve and enhance the diversity of land and marine ecosystems.

**Strategies**
- Ensure that development does not cause undesirable changes to terrestrial and marine ecosystems.
- Use indigenous species in preference to introduced species in revegetation programs.
- Manage access and use in areas in accordance with its environmental values.
- Implement a storm water management plan to manage storm water discharges to the bay.

**Objective 4**
To facilitate appropriate development near the coast.

**Strategies**
- Balance the needs of the various clubs against those of the wider community.
- Ensure that structures are sited and designed to respect their cultural setting and visually complement the surrounding coastal landscape.
- Encourage the retention of the maritime industry in the future, maintaining links with the history of Williamstown.
- Conserve and maintain the existing wharf facilities in the Nelson Place precinct, in particular Gem Pier and Ferguson Street Pier.
- Encourage the development of the old PMA site, which respects the historic fabric of the site and provides public access to the waterfront.
- Consider traffic and car parking impacts when considering changes to casual berthing opportunities along Gem Pier.
- Maintain the current level of minimal development along The Strand foreshore.
- Maintain the low level of boating activity within The Strand precinct and the mooring facilities located within the bay.
- Ensure development on the foreshore does not result in undesirable traffic and car parking impacts.
- Ensure that boating activities do not result in undesirable traffic and car parking impacts.
- Ensure development takes into account relevant coastal considerations (including sites of cultural and heritage significance, relevant management plans and strategies, and creation of open space).

**Objective 5**
To ensure that development near the coast protects the environmental and landscape values of the coast.

**Strategies**
- Ensure that the bulk, scale and finish of new development does not compromise the generally modest scale of the area, especially along the foreshore where there is likely to be continued pressure to build large developments to exploit water and city views.
- Ensure that new development is designed and sited to enhance the coastal landscape.
- Ensure that new facilities are low scale and complementary to existing activities and facilities.
Encourage innovative and sensitively designed medium density residential development at appropriate locations.

Encourage the preparation of a coastal hazard vulnerability assessment for development in coastal locations.

Consider the effects of storm surge and sea level rise on development in coastal locations.

Ensure that any development on land adjoining the coast, which could impact on the coast, is consistent with the Victorian Coastal Strategy 2014, the Siting and Design Guidelines for Structures on the Victorian Coast and any relevant, adopted Coastal Action Plan prepared under the Coastal Management Act.

Protect water and city views from public areas and from the bays.

Implementation
The strategies for the coast will be implemented by:

Policy Guidance (criteria for the exercise of discretion):

- Use local policy at Clause 22.01 in the assessment of planning applications and planning scheme amendments to conserve characteristics that contribute to the individual identity of heritage places and precincts and ensure that their cultural significance is not diminished by inappropriate new development and responds positively to special features such as views, vistas, significant vegetation and landmarks.

- Use local policy at Clause 22.11 to ensure signs respect and respond to the character and amenity of sensitive areas.

Other

- To protect the environmental values of the coast and develop an increased awareness of sustainability principles across the municipality.

- Provide creative interpretation of the cultural heritage and environmental values of the coastal parklands to the community on site through signage.

- Recognise and enhance where appropriate the value of habitat conservation and reconstruction, ecotourism and natural area interpretation.

Application of zones and overlays

- Apply the Public Park and Recreation Zone and Public Conservation and Resource Zone to relevant public land to conserve and protect the natural coastal environment.

- Apply a Design and Development Overlay to restrict the height of development adjacent to the coast.

- Apply a Heritage Overlay over places of heritage significance.

- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to land identified as being flood prone.

Further Strategic Work

- Prepare guidelines for planners and applicants for water conservation and delivery of high-quality storm water into drainage systems and incorporate these into approval processes.

- Prepare and implement master plans for sites along the coast.

- Review the strategy relating to the tank farm at Point Gellibrand and access to Breakwater Pier.

Reference Documents

Williamstown Foreshore Strategic Plan 2010
Point Gellibrand Park Coastal Heritage Park Master Plan (Revised 2003)
Hobsons Bay City Council Kororoit Creek Masterplan 2006
Sustainable Tourism Strategy 2006-2012
Rehabilitation and Management Plan Sandy Point and Greenwich Bay Foreshore Newport 1998
Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Landscape Design Guidelines, 1999
BUILT ENVIRONMENT AND HERITAGE

Overview
Hobsons Bay is a municipality where the residential areas have their own special character. A high standard of design is encouraged in the municipality and gardens and trees in private areas complement green streetscapes. The amenity of residential areas will be protected from the effects of noise, air, water and land pollution.

In established residential areas, dwelling styles and designs contribute to a preferred neighbourhood character in accordance with Neighbourhood Character policies. A new residential character in Strategic Redevelopment Areas will consider and respect the character of the existing surrounding area.

Built Environment

Objective 1
To ensure that new development respects and enhances the preferred neighbourhood character of the existing residential areas of Hobsons Bay.

Strategies
- Work with development proponents to achieve outcomes that enhance the preferred neighbourhood character.
- Ensure that a sense of openness in backyards is retained in precincts where this is an important character element.
- Encourage high quality contemporary and innovative architectural responses and avoid period reproduction styles, especially in Heritage Overlay areas.
- Minimise the loss of front garden space by discouraging additional vehicular crossings and encouraging car access from rear laneways if available.
- Discourage use of basement garages where they lead to the loss of effective landscaping or has the effect of increasing the height of buildings, particularly in coastal areas.
- Encourage energy efficient design of new dwelling construction.
- Promote innovative designs, which promote the concepts of environmentally sustainable development through energy efficient design.
- Promote innovative designs which are functional, aesthetically pleasing and pleasant to live in.

Objective 2
To protect and enhance the amenity of residential areas.

Strategies
- Encourage applicants to exceed minimum compliance with the requirements of Clause 54 and Clause 55 in the preparation of applications, to ensure the protection and enhancement of the amenity of residential areas.
- Encourage a high standard of site analysis and design response to facilitate innovation and creativity in design and planning for medium density housing and residential areas.
- Encourage the establishment of a landscape and streetscape urban setting for new development which reflects the local and wider landscape character.
- Minimise the dominance of car parking structures by setting such structures behind the main building line of the dwelling.
- Protect and improve streetscapes by minimising the effects of development on street trees and nature strips, requiring the reinstatement of footpaths, kerbs and channels with appropriate materials and through the use of underground power and telecommunication lines.

- Protect and improve streetscapes by minimising high solid front fences.

**Objective 3**

To protect the amenity of residential areas adjacent to land uses with off-site amenity impacts and protect industry and sensitive open space from constraints and adverse impacts caused by the encroachment of residential development.

**Strategies**

- Ensure that future residential development which has an interface with an existing industry implements appropriate mitigation measures to protect the amenity of future residents and the continued operation of the existing industry.

- Facilitate appropriate forms of residential development at the interface between residential and other land uses. For example:
  - Residential areas adjacent to industrial land use.
  - Residential areas adjacent to the coast, creeks, wetlands and grasslands.
  - Residential areas adjacent to parks and open space reserves.
  - Other urban/non urban interface areas.

- Ensure that development adjacent to open space and along watercourses addresses, but does not dominate, the waterway or open space.

**Objective 4**

To provide landscaping that enhances open space areas and surrounding amenity.

**Strategies**

- Encourage and undertake landscaping that:
  - Emphasises areas of high visibility such as gateways, major boulevards and creeks.
  - Uses indigenous vegetation in natural areas and introduces a wider range of species, particularly trees in the developed areas of the municipality.
  - Integrates all existing planting in public areas.
  - Takes into account the traffic calming effects of street tree planting.

- Encourage improvements to the nature and quality of the landscaping along VicRoads declared roads.

- Give careful consideration to the landscaping of sites as a condition of the approval of applications for all types of land uses and development.

- Reflect streetscape character through fencing, planting style and pavement types.

- Consider views worthy of protection or screening in the design of landscaping.

- Consider adjacent land uses and buildings to ascertain how these should influence landscape design.

- Encourage open, well landscaped industrial precincts that enhance the appearance and amenity of the site and public areas.

- Choose plantings appropriate to the architectural era in heritage areas.
Encourage private landscaping that enhances the streetscapes of the municipality and complements the landscaping of public areas.

Encourage landscaping that provides shade but does not damage buildings and pavements and is designed to take into account public safety.

Promote landscape design, particularly key focal points, in proximity to areas of nature conservation and large industrial developments.

**Implementation**

These objectives and strategies will be implemented by:

**Policy Guidance (criteria for the exercise of discretion)**

- Use local policy at Clause 22.04 to ensure site responsive and well designed residential development that enhances and protects the strong neighbourhood character of the residential area of Altona Meadows bounded by Central Avenue, and Queen Street to the north, Victoria Street to the east, South Avenue Merton Street and the southern boundary of properties abutting Spicer Boulevard/May Avenue to the south, and Henry Drive and Skehan Boulevard to the west.

- Use local policy at Clause 22.07 – Clause 22.10 to retain and enhance identified elements that contribute to the character of Hobsons Bay and ensure that new development responds appropriately to the character of the precinct in which it is located.

- Use local policy at Clause 22.11 to ensure that signs respond to the character and amenity of sensitive areas and do not detract from the character of a locality, building or site.

**Application of zones and overlays**

- Apply the appropriate residential zone in established residential areas to protect and enhance existing neighbourhood character.

- Apply the Mixed Use Zone in the Altona Beach activity centres to facilitate a range of residential, commercial, office limited industrial and other uses which complement the mixed-use function of the locality.

**Further Strategic Work**

- Consider applying schedules to the residential zones to express local values.

- Review the Hobsons Bay Neighbourhood Character Study to ensure it is delivering Council and community objectives.

**Reference documents**

Hobsons Bay Neighbourhood Character Study, December 2002, including Neighbourhood Character Precinct Brochures

Hobsons Bay Landscape Design Guidelines 1999

Hobsons Bay Advertising Signs Guidelines 1999

Hobsons Bay Industrial Land Management Strategy 2008


Ageing Well Strategy 2007-2017

Disability Action Plan 2008-2012
Heritage

Overview

Hobsons Bay has a rich and diverse cultural heritage which is reflected in the heritage places and precincts identified in the Hobsons Bay Heritage Study Amended 2017. It is a community where we value our heritage and the important role it plays in helping us to understand and interpret our past and enhance our future prosperity and way of life. There is strong support for the protection and conservation of heritage places and precincts. All places of heritage significance including a site, area, building, group of buildings, structure, archaeological site, tree, garden, geological formation, fossil site, habitat or other place of natural or cultural significance and its associated land are identified, protected and conserved.

Objective 1

To protect and conserve places and precincts of heritage significance in Hobsons Bay.

Strategies

- Avoid the demolition of buildings, or works that contribute to the value of a heritage place or precinct, particularly the incremental loss of contributory heritage places within heritage precincts which will erode heritage character and adversely affect the integrity of these places.

- Encourage the conservation of elements that contribute to the significance of a heritage place or precinct in accordance with the principles and procedures recommended by the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter).

- Ensure that new buildings or works do not visually dominate or cause detriment to the heritage significance of the broader heritage place.

- Support the replacement of non-contributory buildings and public infrastructure with new development that responds positively to the historic context provided by surrounding heritage places.

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

Objective 2

To ensure that new development responds positively and enhances the unique and valued character of heritage places and precincts within Hobsons Bay.

Strategies

- Discourage the demolition of heritage places unless it can be demonstrated that, as appropriate:
  - The fabric to be removed is not significant.
  - The fabric to be removed is not of primary significance and its removal will not adversely affect the significance of the place.
  - It will assist in the long term conservation of the place.
  - In the case of an industrial heritage place, it will facilitate the historic use of the place and will not result in the loss of fabric considered to be of primary significance.

- Discourage inappropriately designed infill development.

- Assess the contribution of new development to the heritage place within the immediate context of the buildings or works, being the same street, across the road and on the next couple of allotments adjacent to the subject site.

- Ensure that new buildings or works do not visually dominate or cause detriment to the heritage values of heritage places that are situated in the locality.
Give preference to infill buildings that are visually recessive and compatible in terms of their scale, siting, design, form and materials with the historic character of the heritage place or precinct in accordance with the Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006.

Discourage poorly designed additions and alterations to heritage places that are unrelated in terms of design, scale, form and materials.

Give preference to alterations or additions to existing buildings that are visually recessive and compatible in terms of their scale, siting, design, form and materials with the historic character of the heritage place or precinct in accordance with the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006.

Ensure that new development does not distort the historic evidence provided by the heritage place by simply copying or reproducing historic styles or detailing.

Objective 3

To improve awareness, understanding and appreciation of the value of heritage places and the significance of twentieth century heritage, including significant industrial places.

Strategies

- Ensure places of cultural heritage are conserved and, where appropriate, are interpreted.
- Maintain appropriate settings for heritage places.
- Encourage and support adaptive reuse of redundant heritage buildings to recognise and protect the physical and cultural heritage significance of the building and its contribution to development of Hobsons Bay.

Implementation

These strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)

- Use local policy at Clause 22.01 when considering to use or develop heritage places to protect and enhance the heritage character of Hobsons Bay and in the assessment of applications to ensure new development responds positively to special features such as views, vistas, significant vegetation and landmarks and enhances the historic cultural landscape character found in a street or precinct.
- Use local policy at Clause 22.11 in the consideration of signage applications to ensure that signs respect the period and style of the host building and do not dominate or obscure its architectural form or features and use relevant materials, fonts and colours.
- Require a photographic record of the building where approval has been granted for its demolition, where appropriate.
- Assess applications for infill development in accordance with the Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006.
- Assess applications for alterations and additions in accordance with the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006.
- Use the Aboriginal cultural resource map and guidelines provided by Aboriginal Affairs Victoria when considering an application to develop or rezone land.

Other

- Promote the importance and value of the cultural heritage of Hobsons Bay to improve understanding and appreciation of heritage places and the significance of twentieth century heritage, including significant industrial places.
- Lead by example in the management of Council’s own heritage assets.

**Application of zones and overlays**
- Apply the Heritage Overlay to heritage places identified in the *Hobsons Bay Heritage Study Amended 2017*, by Heritage Victoria, or other relevant heritage studies.

**Further Strategic Work**
- Finalise and adopt the comprehensive Heritage Conservation Study for coastal areas.
- Undertake a Significant Tree Study.
- Undertake a Port of Williamstown Heritage Study in conjunction with other relevant statutory authorities.
- Undertake a Post-war Heritage Study.
- Prepare Conservation Management Plans or management guidelines for other Council-owned or managed heritage assets as required, including:
  - Historic public infrastructure and street trees.
  - Historic sporting pavilions.
  - Dennis Reserve, Williamstown and Logan Reserve, Altona.
  - Review and update the Hobsons Bay Heritage Study Amended 2017 as appropriate.

**Reference Documents**
Hobsons Bay Heritage Study Amended 2017
Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006
Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006
The Burra Charter (The Australian ICOMOS Charter for Places of Cultural Significance)
HOUSING

Overview
Residential areas provide a distinctive neighbourhood focus and a coherent sense of community and association. Their separation by natural conservation areas reinforces the sense of neighbourhood and unique village feel.

Residential areas will provide a choice of housing types to meet the needs of the diverse households in the municipality. They will contribute to housing affordability and sustainability and energy efficiency through urban consolidation, building design and public transport use.

Objective 1
To encourage and facilitate the provision of a range of dwelling types to suit the varying needs of the community in a high quality living environment.

Strategies
- Provide a mix of housing types that better reflects the cross section of household sizes and the provision of housing for people with particular needs.
- Encourage subdivision that provides a range of lot sizes to cater for a diversity of housing stock and a better matching of house size and type with varying community needs.
- Support medium density residential development where it can be accommodated within the capacity of existing infrastructure.
- Support medium density residential development where the character and amenity of the neighbourhood is not prejudiced.
- Encourage higher density residential development in activity centres where it can be accommodated within the capacity of existing infrastructure.
- Support higher density residential development in appropriate locations where there is access to safe, efficient and reliable public transport.
- Encourage higher density residential development within activity centres in a manner that does not detract from the concentration and viability of retail and commercial activity in the centres.
- Encourage shop top housing in neighbourhood activity centres.
- Provide housing to meet the needs of current and future residents within their local areas by encouraging the incorporation of universal design principles.
- Discourage non-residential land uses in or close to residential areas unless, the levels of activity and the traffic they generate, the times of operation and the amount of car parking provided are compatible with the protection and enhancement of the amenity of the residential area.

Implementation
These objectives and strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)
- Use local policy at Clause 22.01 when considering to use or develop heritage places to enhance the heritage character and amenity of the city by contributing to the unique identity of each household.
- Use local policy at Clause 22.04 to ensure site responsive and well designed residential development that enhances and protects the strong neighbourhood character of the residential area of Altona Meadows bounded by Central Avenue, and Queen Street to the north, Victoria Street to the east, South Avenue Merton Street and the southern boundary of properties abutting Spicer Boulevard/May Avenue to the south, and Henry Drive and Skehan Boulevard to the west.
Use local policies at Clause 22.07 – Clause 22.10 to retain and enhance identified elements that contribute to the character of Hobsons Bay and ensure that new development responds appropriately to the character of the precinct in which it is located.

Use local policy at Clause 22.11 to ensure that signs respond to the character and amenity of sensitive areas and do not detract from the character of a locality, building or site.

Application of zones and overlays

- Apply the appropriate residential zone in established residential areas to protect and enhance existing neighbourhood character.
- Apply the Mixed Use Zone in the Altona Beach activity centres to facilitate a range of residential, commercial, office limited industrial and other uses which complement the mixed-use function of the locality.
- Apply the Environmental Audit Overlay to contaminated sites.
- Apply the Land Subject to Inundation Overlay and the Special Building Overlay to land identified as being flood prone.

Further Strategic Work

- Undertake a Hobsons Bay Housing Strategy to guide future residential development.

Reference documents

Hobsons Bay Neighbourhood Character Study, December 2002, including Neighbourhood Character Precinct Brochures
Hobsons Bay Landscape Design Guidelines 1999
Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Industrial Land Management Strategy 2008
Ageing Well Strategy 2007-2017
Disability Action Plan 2008-2012
ECONOMIC DEVELOPMENT

Overview

Hobsons Bay continues to be at the forefront of Melbourne’s industrial base and is currently the focal point of Victoria’s petroleum, chemical and manufacturing industries, including some of the State’s largest and most significant industrial enterprises. The classification system developed to indicate the future role and function of each of the City’s industrial precincts consolidates and supports the continued operations of industry in the municipality. In turn, industry is encouraged to have a positive impact on the visual and environmental amenity and image of the municipality. It contributes to a vibrant economy and provides ongoing employment and prosperity. The municipality will continue to attract both large and small scale industries to the area further enhancing Hobsons Bay’s commercial diversity and ingenuity.

Objective 1

To stimulate and facilitate appropriate industrial activity and employment opportunities.

Strategies

- Support the growth and development of industrial development in Core and Secondary Industrial Areas.
- Protect Core and Secondary Industrial Areas from the impacts of encroachment of residential and other sensitive land uses.
- Manage the successful transition of identified Strategic Redevelopment Areas through the development of Outline Development Plans, (i.e. a master plan), Development Plan Overlays and Design and Development Overlays, as appropriate.
- Ensure that the growth in freight related industries does not diminish the residential amenity of non-industrial areas by way of traffic, noise, odour, dust, safety and visual impacts.

Objective 2

To achieve high quality amenity outcomes to industrial land throughout the municipality.

Strategies

- Encourage high quality urban design and architecture in industrial areas.
- Improve the amenity, appearance, safety and environmental performance of industrial areas.
- Protect the amenity of people living and working in Hobsons Bay from the effects of noise, air, water and land pollution.
- Encourage existing industries to improve their sites and operating conditions to contribute positively to the image and amenity of the municipality.
- Ensure all external storage of goods and materials, refuse collection areas and garbage skips are fully screened from view.
- Ensure that industries at the interface between industrial areas and residential areas preserve the amenity of existing residential areas.
- Discourage new industries that have significant off-site impacts from locating near residential areas or activity centres.
- Encourage mixed use or light industrial buffer areas between residential and heavier industrial areas.
- Encourage the relocation of industries that have amenity conflicts with existing residential areas (including industries in residential zones).
- Discourage new industries or the expansion of industries that rely upon frequent visits by heavy vehicles using roads through residential areas or activity centres in the municipality.
- Ensure that significant environmental values are protected and that best practice environmental standards are adopted by industry.

- Ensure that industrial development respects and enhances the natural environment, including Kororoit Creek, Cherry Creek, Cherry Lake, Laverton Creek and its tributaries, the coast, Truganina Swamp, Stony Creek and its backwash and other watercourses and low lying areas and native grasslands.

- Ensure that there is a soft transition between industrial development and the natural environment reserves with appropriate landscaping within development sites so that the final built environment is well integrated with the surrounds.

- Consider the impact of industries as appropriate, on air, noise, land, surface water and ground water quality in the assessment of planning applications.

- Ensure appropriate risk and amenity buffers are planned for any new industrial development and that these buffer distances are maintained.

- Encourage water sensitive and energy efficient urban design within industrial developments.

- Encourage industry to develop a water reuse program.

Objective 3
To promote and encourage best practice philosophy by industry.

Strategies

- Ensure that new industrial development meets high standards of site development, emission control, landscaping and motor vehicle parking and movement management.

- Encourage existing industries to reduce their discharge of pollutants to improve air and water quality.

- Consider the impact of relevant industries on air and groundwater quality in the assessment of planning applications.

- Work with the Environment Protection Authority and the agencies responsible for the Dangerous Goods Act and the Occupational Health and Safety Act to ensure that industries do not threaten the health and safety of employees and residents or damage the local environment.

- Encourage industry to develop a water reuse program.

- Encourage industry that will investigate and implement, where possible, the potential benefits of cleaner production and energy efficient design.

Objective 4
To balance the recreational and leisure values of electronic gambling with the need to ensure the health and well-being of the community.

Strategy

- Avoid the establishment of new or additional gaming machines proximate to disadvantaged or vulnerable communities as identified in the policy statement.

Implementation

These strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)

- Use local policy at Clause 22.02 to facilitate appropriate industrial activity and quality industrial development in Hobsons Bay.
- Manage change in Strategic Redevelopment Areas carefully, protect the existing and ongoing viable industrial uses, retain employment-generating uses where possible, and subject to further investigation, introduce new land uses.

- Support the growth and development of industrial development in Core and Secondary Industrial Areas.

- Improve the amenity, appearance and environmental performance of industrial areas.

- Use local policy at Clause 22.11 in the consideration of signage applications to ensure that signs add interest to and improve the streetscape and do not result in visual clutter.

- Use local policy at Clause 22.12 Gaming to improve the health and wellbeing of the community by locating gaming machines in appropriate locations.

Other

- Encourage the Environmental Protection Authority to monitor groundwater contamination and work with industries to develop groundwater management plans.

Application of zones and overlays

- Apply the Special Use Zone 2 to provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.

- Apply the Special Use Zone 3 to provide for the operation and expansion of the petrochemical industry in a manner that does not affect the safety and amenity of nearby areas and minimises exposure to risk of persons working or visiting the area.

- Apply the Special Use Zone 4 to provide for a range of industrial uses and services that do not prejudice the operation and expansion of the petrochemical industry and minimises exposure to risk of persons working in or visiting the area and provides for manufacturing industry, storage and distribution of goods and associated uses which does not affect the safety and amenity of local communities.

- Apply the Environmental Audit Overlay to contaminated sites.

- Apply the Development Plan Overlay or the Design and Development Overlay or other appropriate planning controls to Strategic Redevelopment Areas to facilitate the implementation the Hobsons Bay Industrial Land Management Strategy 2008.

- Apply the Development Plan Overlay or the Design and Development Overlay to ensure that new, refurbished and converted developments for new residential and other noise sensitive uses constructed in proximity to existing industry include appropriate acoustic measures to attenuate noise levels within the building and private open space areas.

Further Strategic Work

- Ensure that Environmental Site Assessments are provided prior to land being considered for rezoning to ensure sites are capable of remediation.


- Review the planning framework for the Burns Road Estate area in Altona to determine the appropriate policy, zoning, and overlays to address long standing use and development issues.

Reference Documents

Hobsons Bay Industrial Land Management Strategy 2008

Hobsons Bay Industrial Development Design Guidelines June 2008

Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Landscape Design Guidelines 1999
Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGMs) Policy Statement 2015
Map 3 Industrial Areas
TRANSPORT AND MOBILITY

Overview

The municipality seeks an integrated transport system that enables residents, commercial and industrial operators and visitors to access their destination in a safe, equitable and efficient manner. The transport network needs to balance good road access for industrial and residential land uses and carefully manage the impacts associated with a growth in freight to protect residential amenity. High quality integrated public transport, cycle and pedestrian paths to enhance walkability and safety, and promotes adequate parking in tourist precincts and activity centres is supported. Williamstown will continue to be an important water transport terminal and tourism node in Hobsons Bay.

Objective 1

To provide access to, through and within the municipality by all modes of transport, including walking, cycling, public transport and private and commercial vehicles.

Strategies

- Have regard to the State transport strategies and opportunities for transport improvements in the assessment of broader regional patterns of land use and transport movements.
- Ensure that the cost of new road and transport infrastructure required to serve specific development is met by the developer.
- Ensure that developers provide a continuous network of bicycle paths and pedestrian facilities in new residential subdivisions that contributes to community health and well being by encouraging walking and cycling.
- Ensure bicycle paths and pedestrian facilities interconnect with the existing transport network and form a safe, efficient and convenient network that promotes walkability.
- Liaise with surrounding municipalities and VicRoads to improve the connectivity of the bicycle network.
- Encourage the improvement of the arterial road system to service the industrial areas.
- Support more direct connections to the Western Ring Road (from Grieve Parade industrial areas) and the upgrade of the arterial link road network.
- Encourage the development of new industrial access roads to service industrial areas.

Objective 2

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

Strategies

- Ensure that the impact of traffic on the safety of other road users and pedestrians generated by new land uses and development is minimised.
- Discourage industrial land uses and developments that are dependent upon heavy transport or high volumes of vehicle trips in locations that require trucks to use roads through predominantly residential areas.
- Conduct traffic management studies of the surrounding areas to avoid transferring traffic problems.
- Ensure that new land uses and developments provide adequate car parking and loading bay facilities that are safe, convenient and visually attractive.

Objective 3

To support increased use of public transport and an efficient network.
Strategies

- Support upgrading public transport within the municipality to reduce traffic congestion within and from Hobsons Bay to surrounding suburbs and the Central Business District.
- Encourage the provision of bus services that maximise convenience for the local community.
- Encourage the provision of bus interchanges at activity centres or where they interconnect with other modes of travel.
- Facilitate an integrated local and sub-regional transport network that provides residents, businesses and visitors opportunities to use safe, efficient and reliable infrastructure.
- Encourage and facilitate walking, cycling and other alternative transport modes to driving.

Implementation

These strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)

- Encourage developers to consult with VicRoads prior to rezoning land.
- Use local policy at Clause 22.04 in the consideration of planning applications to address the shortage of on-street car parking in Altona Meadows.
- Use local policy at Clause 22.05 in the consideration of planning applications to address the shortage of available car parking in Williamstown.

Application of zones and overlays

- Apply the Road Zone Category 1 over VicRoads declared main roads.

Further Strategic Work

- Undertake parking precinct plans for Newport/Spotswood, Altona Gate, Aviation Road, Millers Road activity spine and Altona Beach Activity Centre.
- Continue to identify opportunities and encourage the connections between existing and proposed bicycle trails.

Reference Documents

Hobsons Bay Integrated Transport Strategy 2006
Williamstown Activity Centre Parking Study 2009
Hobsons Bay Strategic Bicycle Plan 2003
Hobsons Bay Road Safety Strategy 2008-2010
Map 4 - Key Transport Routes

[Image of map showing transport routes]
INFRASTRUCTURE

Overview
A range of community facilities and services are required to meet the needs and lifestyles of the local community to assist in sustaining, supporting and promoting communities and provide a better quality of life for Hobsons Bay residents.

Objective 1
To deliver necessary community infrastructure to enhance the liveability of Hobsons Bay residents.

Strategies
- Provide appropriately located community facilities and services in response to community needs.
- Facilitate the provision of a range of well designed community facilities and services which meets the needs and lifestyles of the community to provide for a better quality of life.
- Ensure that the cost of new road and transport infrastructure required to serve specific development is met by the developer.
- Ensure that developers provide a continuous network of bicycle paths and pedestrian facilities in new residential subdivisions that contributes to community health and well being by encouraging walking and cycling.

Implementation
These strategies will be implemented by:

Policy Guidance (criteria for the exercise of discretion)
- Use local policy at Clause 22.02 in the consideration of planning applications to ensure that new infrastructure conserves the characteristics that contribute to the identity of heritage places and precincts and does not diminish their cultural significance.
- Use local policy at Clause 22.04 in the consideration of planning applications to address the lack of public transport, parking and traffic issues associated with narrow roads and the lack of open space in Altona Meadows.
- Use local policy at Clause 22.05 in the consideration of planning applications to recognise the particular parking requirements of Douglas Parade /Ferguson Street and Nelson Place commercial precincts.
- Use local policy at Clause 22.06 in the consideration of planning applications to encourage a centre with a positive identity for the Altona Beach Activity Centre.

Application of zones and overlays
- Apply the Public Use Zone to recognise land for community facilities and services.
- Apply the Special Use Zone 1 to provide for areas in private ownership to be used as private sports grounds and/ or religious and educational establishments, as appropriate.
- Apply the Road Zone to identify land to identify significant existing and proposed roads.

Further Strategic Work
- Review the level of existing facilities and services to meet the needs of the community.
- Facilitate the completion of the Council’s Community Infrastructure Plan.

Reference Documents
Ageing Well Strategy 2007-2017
Disability Action Plan 2008-2012
Kororoit Creek Regional Strategy 2005-2030
Hobsons Bay City Council Kororoit Creek Masterplan 2006
Point Gellibrand Park Coastal Heritage Park Master Plan (Revised 2003)
Williamstown Foreshore Strategic Plan 2010
Sustainable Tourism Strategy 2006-2012
Rehabilitation and Management Plan Sandy Point and Greenwich Bay Foreshore Newport 1998
Hobsons Bay Heritage Study Amended 2014
Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006
Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006
The Burra Charter (The Australian ICOMOS Charter for Places of Cultural Significance)
Hobsons Bay Advertising Signs Guidelines 1999
Hobsons Bay Landscape Design Guidelines 1999
Hobsons Bay Integrated Transport Strategy 2006
Williamstown Activity Centre Parking Study 2009
Hobsons Bay Strategic Bicycle Plan 2003
Hobsons Bay Road Safety Strategy 2008-2010
HERITAGE POLICY

This Local Planning Policy affects areas included in the Heritage Overlay and comprises the following:

- 22.01-1: General Heritage Policy
- 22.01-2: Government Survey Heritage Precinct Policy
- 22.01-3: Private Survey Heritage Precinct Policy
- 22.01-4: Hannan’s Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Policy
- 22.01-5: Ferguson Street Civic and Commercial Heritage Precinct Policy
- 22.01-6: Nelson Place Heritage Precinct Policy
- 22.01-7: Cox’s Garden Heritage Precinct Policy
- 22.01-8: Housing Commission of Victoria Estates Heritage Precincts Policy
- 22.01-9: Newport and Spotswood Residential Heritage Precincts Policy
- 22.01-10: Newport Civic and Commercial Heritage Precinct Policy
- 22.01-11: Industrial Heritage Places Policy

Using this Policy

This policy comprises an overall heritage policy, which applies to all heritage precincts and places within the City of Hobsons Bay. There are also additional sub-policies for specific heritage precincts and places within the municipality and a sub-policy on Industrial Heritage Places. Each individual sub-policy has its own policy basis, objectives, and policy statements that should be considered in conjunction with the overall policy.

The Hobsons Bay Heritage Study Amended 2017 informs this policy and should be referred to in identifying the significance of the heritage precincts.

A ‘heritage precinct’ is a group of heritage places identified by the Hobsons Bay Heritage Study Amended 2017.

The term ‘heritage place’ refers to:

- A place that is individually cited in the Hobsons Bay Heritage Study Amended 2017.
- A place that is contributory to the significance of a heritage precinct.

Application requirements

Where a permit is required for development in a Heritage Overlay, an application must be accompanied by information that adequately responds to the relevant sections of the Hobsons Bay Heritage Study Amended 2017, the Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006 and the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006.

General Heritage Policy

This policy applies to all land included within a Heritage Overlay.

Policy basis

The Hobsons Bay Municipal Strategic Statement identifies the need for a local policy to ensure that the cultural heritage of Hobsons Bay is conserved and enhanced.

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

These heritage places are important for the reasons described in the Hobsons Bay Heritage Study Amended 2017, as well as the broader social, cultural and economic benefits they bring by:

- Providing historic continuity, which enables the complex layering of the history of Hobsons Bay to be understood and interpreted.
- Enhancing the character and amenity of the city by contributing to the unique identity of each neighbourhood.
- The heritage of Hobsons Bay is highly valued by the community and there is strong support for controls and policy to protect and conserve places of identified heritage significance.
- This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017.

**Objectives**

To conserve characteristics that contribute to the individual identity of heritage places and precincts within Hobsons Bay and ensure that their cultural significance is not diminished by:

- The loss of any fabric which contributes to the significance of the heritage place or precinct;
- Inappropriate new development;

To conserve heritage places in accordance with the principles and procedures recommended by the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter).

To ensure new development is of a high quality design that creatively interprets and responds positively to the historic context provided by the heritage place or precinct.

To support the replacement of non-contributory buildings with new development that responds positively to the historic context provided by surrounding heritage places.

To ensure new development becomes a valued addition, which complements the aesthetic qualities of a heritage place or precinct.

To ensure new development does not distort historic evidence of heritage places by copying or reproducing historic styles or detailing.

To encourage the viable use of buildings as part of their conservation.

To ensure a consistent approach to the conservation of heritage places.

To conserve heritage places and precincts based on the statement of significance for the place or precinct.

To improve community awareness of the importance and value of heritage places and precincts.

To ensure new development responds positively to special features such as views, vistas, significant vegetation and landmarks.

To ensure landscaping enhances the historic cultural landscape character found in a street or precinct.

To ensure new development does not visually dominate a heritage place or precinct.

**Policy**

**Exercising discretion**

It is policy to conserve heritage places and precincts by:

- Ensuring the maintenance and preservation of heritage places;
Ensuring the restoration or reconstruction of fabric where opportunities arise.

Discouraging the demolition of heritage places unless the demolition is only part of the heritage place and it can be demonstrated to the satisfaction of the Responsible Authority that, as appropriate:

- Ensuring the fabric to be removed is not significant;
- Ensure the fabric to be removed will not adversely affect the significance of the heritage place;
- Ensuring development will assist in the long term conservation of the heritage place;
- In the case of an industrial heritage place, ensuring development will facilitate the historic use of the heritage place and will not result in the loss of fabric of primary significance;
- Discouraging the demolition of heritage places unless it can be demonstrated to the satisfaction of the Responsible Authority that the structural integrity of the heritage place has been lost;
- Generally not accepting the poor condition or low integrity of a heritage place as justification for its demolition, particularly if in the opinion of the Responsible Authority the condition of the heritage place has deliberately been allowed to deteriorate;
- Maintaining and enhancing the setting of heritage places and precincts by the removal of non-significant fabric and by ensuring that infill buildings or additions to existing buildings are visually recessive. This includes views and vistas to a heritage place from public places;
- Encourage the removal of alterations and additions except where they contribute to the significance of the heritage place;
- Ensure new infill buildings, alterations and additions to existing buildings are visually recessive and compatible in scale, siting, design, form and materials with the character of the heritage place or precinct;
- Ensure new infill buildings have regard to the Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006;
- Ensure alterations and additions to contributory dwellings have regard to the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006;
- Ensure alterations and additions to non-contributory dwellings have regard to the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006;
- Conserve early public realm infrastructure such as basalt gutters, unmade roadside verges, bluestone and concrete kerbs, channels, footpaths and laneways are conserved and reconstructed as appropriate;
- Discourage vehicle crossovers and off-street parking provision at the front of heritage places, unless it can be demonstrated to the satisfaction of the Responsible Authority that these features were historically found in the street where the property is located and that no suitable alternative exists;
- Significant street trees should not be removed unless they die or in the opinion of the Responsible Authority become a safety risk. If a significant street tree is removed, it should be replaced with a semi-advanced species to the satisfaction of the Responsible Authority;
- Original front fences and related features such as lynch gates and pergolas should be retained;
- If a front fence is not significant, low timber picket fencing or other styles that are historically appropriate for the stylistic period of the dwelling should be provided, unless historic evidence to the satisfaction of the Responsible Authority can be provided for an alternative design;
- Ensure subdivision is compatible with the original subdivision layout and character of the heritage place or precinct;
- Ensure advertising signs have regard to the Hobsons Bay Advertising Sign Guidelines 1999 and are traditional in form and location;
- Encourage historical research of heritage places and precincts and promote their physical link with history.

**Decision Guidelines**

It is policy that before deciding on an application the Responsible Authority must consider, as appropriate:

- The significance of the heritage place or precinct as described in the *Hobsons Bay Heritage Study Amended 2017* and whether the proposed buildings or works will adversely affect the cultural significance of the heritage place or precinct;

- Whether the application has responded appropriately to the relevant design guidelines in the Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006 or the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006.

Whether the proposed buildings or works will assist in the conservation of the place by:

- Maintaining, protecting, restoring, repairing or stabilising significant fabric;

- Supporting the continued original use of the building by enabling it to be upgraded to meet present day requirements and standards;

- Implementing works in accordance with a Conservation Management Plan that has been prepared to the satisfaction of the Responsible Authority;

- Allowing an alternative use (where this is permitted by the Planning Scheme) when the original use of the building is no longer viable, or in accordance with a Conservation Management Plan;

- Whether the proposed buildings or works will have an adverse effect on a significant tree identified by the *Hobsons Bay Heritage Study Amended 2017*, or any tree that contributes to the setting of a heritage place or precinct.

**Policy references**

- Hobsons Bay Heritage Study Amended 2017.

- Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006

- Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006

- Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter).

- Hobsons Bay Advertising Sign Guidelines 1999 (or any subsequent version).

**Government Survey Heritage Precinct Policy**

This policy applies to all land and heritage places within the Government Survey Heritage Precinct, (HO8), the Cecil Street Heritage Precinct, (HO1), Electra Street Heritage Precinct (HO4), Esplanade Residential Heritage Precinct (HO6), Hamner Street Heritage Precinct (HO12), Pasco Street Heritage Precinct (HO24), part of the Railway Crescent Heritage Precinct east of Giffard Street (HO28), Verdon Street Heritage Precinct (HO32), and places individually listed in the Schedule to the Heritage Overlay in the area generally bounded by Ferguson Street, Nelson Place, Kanowna Street, Morris Street, Esplanade, Giffard Street, and Railway Place in Williamstown.

**Policy basis**

The Government Survey Heritage Precinct comprises the parts of “Williams Town” originally surveyed by Robert Hoddle and later extended by the Victorian Colonial Government between 1837 and 1855. Historically, the precinct demonstrates the most important and prosperous phases in the development of Williamstown, from the mid-nineteenth to early twentieth centuries associated
with the development of the port and later influenced by the development of railways and related industries. The early settlement of Williamstown and its importance as a port and defence facility, also contributes to a broader understanding of the history of Victoria.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

**Objectives**

To retain the distinctive cultural heritage significance of this precinct which is derived from:

- The strong associations with the maritime and railway industries that were key influences in the early historic development of Williamstown;
- The strong associations with the formative civic, public and commercial development that occurred in Williamstown during the nineteenth century;
- The setting and visual prominence of the civic, public and commercial buildings on key sites throughout the precinct, and in particular the grouping of related basalt public buildings in Cecil Street and public buildings in Electra Street;
- The strong and distinctive urban form created by the regular grid subdivisions, separated by areas of open space, which exemplifies nineteenth century town planning;
- The pre-1860 buildings, which demonstrate the very early origins of this precinct and comprise one of the most significant collections of buildings from this period within Victoria;
- The Williamstown railway line corridor;
- The generally uniform scale (predominantly single storey), siting (generally detached, parallel to frontage), construction (predominantly horizontal weatherboard with pitched hipped or gable roof) and subdivision pattern (single dwellings on rectangular regular shaped allotments) of residential buildings, which provide a unifying element throughout the precinct. Typically, car parking is not provided on site;
- Regular shaped lots with frontages predominantly between 6-9 metres, which create a distinctive pattern of development;
- The rare surviving examples of early housing construction such as pre-fabricated timber dwellings, basalt houses, and attached row houses with undivided roofs;
- The unique nineteenth century road layout in key streets, and other historic public infrastructure;
- Significant trees on public and private land, which contribute to the cultural landscape character.

**Policy**

It is policy to encourage infill development that has:

- Respect for the single storey scale of the precinct generally with detached siting;
- Simple single or double fronted building forms;
- Horizontal weatherboard cladding for walls visible from the street. Alternatively, smooth render brick or masonry or a combination of these may be provided;
- Simple hipped corrugated iron or slate roof forms;
- Windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped;
- Eaves and verandahs in street elevations.

It is policy that alterations and additions to existing dwellings should:

- Be single storey scale when viewed from a street (not including a right-of-way);
- Be sited to the rear of the existing building;
- Be setback from side boundaries to reflect the existing pattern of development;
- Be the same, or a contemporary interpretation of the wall cladding of the existing dwelling for walls visible from the street;
- Be compatible with the heritage place’s roof form and material as visible from the street;
- Be the same as the significant fabric of the facade or profile of the main roofline as viewed from the street;
- Retain contributory features such as chimneys and bluestone foundations;
- Avoid windows in upper floor elevations facing the street;
- Be ground floor windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank, if grouped.

### Private Survey Heritage Precinct Policy

This policy applies to all land and heritage places within the Private Survey Heritage Precinct (HO27), the Power Street Heritage Precinct (HO26), Lenore Crescent Heritage Precinct (HO18), Macquarie Street Heritage Precinct (HO19), James Street Heritage Precinct (HO17), The Strand Heritage Precinct (HO31), Dover Road and John Street Heritage Precinct (HO3), and places individually listed in the Schedule to the Heritage Overlay in the area generally bounded by North Road, The Strand, Ferguson Street, Power Street, and Melbourne Road in Williamston and Newport.

#### Policy basis

Historically, the Private Survey Heritage Precinct is significant for its ability to illustrate the two main development phases of the city during the Victorian (port rise and decline) and Edwardian to Interwar periods (railway and manufacturing industry). This has created a distinctive layering of history, which illustrates how this part of Williamstown and Newport developed quite differently to the Government Survey Heritage Precinct to the south of Ferguson Street. Compared to other precincts in Hobsons Bay, it is more heterogeneous in character and is aesthetically significant for the groups of predominantly late nineteenth and early twentieth century houses that range from predominantly Victorian-era precincts such as James and Macquarie Streets, to almost exclusively Interwar enclaves such as Federal Street, Chandler Street and Lenore Crescent. Housing in other streets, although stylistically different, share common elements of scale, siting, materials and roof forms, which create cohesive groups. Some streets retain early street detailing such as basalt kerb and channel and mature street trees, which enhance and reinforce the historic character. Another notable element is the Victorian and Interwar commercial buildings and hotels, which are typically located on prominent corner sites and sited on the frontage throughout the precinct.

This policy implements the recommendations of the *Hobsons Bay Heritage Study Amended 2017* relating to this precinct.

#### Objectives

To retain the distinctive cultural heritage significance of this precinct which is derived from:

- The extent of speculative subdivision within Williamstown during the nineteenth century, which created a less regular street pattern compared to other parts of Williamstown and Newport;
- The ability to illustrate, often within the same street, two key periods in the development of Williamstown from maritime to railway and other industries;
- The commercial development scattered throughout the precinct that illustrates how self-contained communities developed in the era before the use of cars became widespread;
- The pre-1860 buildings, which demonstrate the early origins of parts of this precinct closer to Ferguson Street. The contrast between streets that are relatively homogeneous in character with streets that are more heterogeneous in character;
• The architectural diversity of the residential buildings comprising villas and bungalows from the Victorian to Interwar periods of generally uniform scale (predominantly single storey), siting (detached), construction (predominantly horizontal weatherboard with pitched hip or gable roof), and a regular subdivision pattern (single dwellings on regular allotments), which provide a unifying element throughout the precinct. Typically, car parking was not provided on site until later in the Interwar period;

• Regular shaped lots with wide frontages predominantly between 10-15 metres, which create a distinctive pattern of development;

• Landmark hotels and commercial buildings which are typically sited on prominent street corners.

Policy
It is policy to encourage infill development that has:

• Respect for the single storey scale of the precinct with double storey elements setback to minimise visibility from the street;

• Detached siting parallel to the frontage, unless angled siting is a characteristic of the street or group of houses where a property is located;

• Simple single or double fronted building forms with symmetrical plans in streets or groups of houses that have predominantly Victorian character, or asymmetrically designed plans in streets or groups of houses with predominantly Edwardian or Interwar character;

• Horizontal timber weatherboard cladding for walls visible from the street. Alternatively, smooth render brick or masonry or a combination of these may be provided;

• Hipped corrugated iron or slate roof forms, except in streets or groups of houses, which have predominantly Edwardian or Interwar character, where terracotta tiles may be provided;

• Windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped;

• Eaves and verandahs in street elevations.

It is policy that alterations and additions to existing dwellings should:

• Be single storey scale when viewed from the street, (not including a right-of-way);

• Be sited to the rear of the existing building;

• Include side setbacks that reflect the existing street pattern;

• Be the same, or a contemporary interpretation of the wall cladding of the existing dwelling for walls visible from the street;

• Be compatible with the roof form and material of the heritage place when visible from the street;

• Not significantly alter the fabric of the facade or profile of the main roofline as viewed from the street;

• Retain contributory features such as chimneys and bluestone foundations;

• Avoid windows in upper floor elevations facing the street;

• Promote ground floor windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped.

Hannan’s Farm (Ramsgate Estate) And Williamstown Beach Heritage Precincts
Policy
This policy applies to all land and heritage places within Hannan’s Farm Heritage Precinct (HO13), Victoria Street Heritage Precinct (HO33), Williamstown Beach Heritage Precinct (HO34), part of Railway Crescent Heritage Precinct west of Giffard Street (HO28), including places individually
listed in the Schedule to the Heritage Overlay with frontage to Castle Street, Collins Street, Esplanade (part), Forster Street, Garden Street, Giffard Street (part), Gellibrand Street, Hannan Street, Knight Street, Langford Street, Laverton Street, Osborne Street (part), Railway Crescent (part), Stewart Street, Vera Street, Victoria Street and Winifred Street in Williamstown.

Policy basis
This precinct includes those parts of South Williamstown generally to the west of the Giffard Street that were subdivided during the late nineteenth century. It includes Victoria and Hannan Streets which were part of the Ramsgate Estate created in the late 1880’s by the subdivision of Hannan’s Farm by two well-known Williamstown figures, AT Clark and John Morgan. This precinct is significant as an intact late nineteenth and early twentieth century residential area comprising predominantly Victorian and Edwardian era houses with common or similar characteristics of design, siting and scale that create cohesive and relatively homogeneous streetscapes. Many are externally intact and others, although altered, still retain their distinctive form and siting and hence contribute to the precinct. Many also have mature gardens that complement the mature street trees in Victoria and Osborne Streets. Victoria Street is particularly notable for its many fine examples of Edwardian and interwar villas and bungalows.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

Objectives
To retain the distinctive cultural heritage significance of this precinct which is derived from:

- The strong associations with individuals who were prominent in civic and social life in Williamstown in the late nineteenth and early twentieth century;
- The Victorian-era dwellings, which illustrate the late nineteenth century origins of this area, and include some of the best examples of Italianate architecture in Williamstown;
- The generally uniform scale (predominantly single storey), siting (detached), construction (predominantly horizontal weatherboard with pitched hipped or gable roof) and subdivision pattern (single dwellings on regular shaped allotments) of dwellings, which create cohesive streetscapes. Typically, there is no provision for on-site car parking;
- Regular shaped lots with wide frontages of predominantly 10-15 metres, which create a distinctive street pattern;
- The fine collection of Edwardian and interwar ‘picturesque’ villas and bungalows in Victoria Street;
- Mature trees on public and private land that provides an appropriate cultural landscape, which is related to the main period of development;
- The Rifle Club Hotel and the Williamstown Croquet Club pavilion, which are notable landmarks at the northern entrance to Victoria Street;
- The original street layout in Osborne Street, which includes unmade road verges and street trees;
- Views along Victoria and Hannan Streets to the Bay;
- The Williamstown Botanic Gardens.

Policy
It is policy to encourage infill development that has:

- Respect for the single storey scale of the precinct with detached siting parallel to the frontage;
- Simple single or double fronted building forms, except in Victoria Street where more complex asymmetrically designed forms may be appropriate;
- Horizontal timber weatherboard cladding for walls visible from the street. Alternatively, smooth render brick or masonry or a combination of these may be provided;
- Hipped corrugated iron or slate roof forms, except in Victoria Street where more complex hipped and gable roof forms in terracotta tiles may be provided;
- Rectangular, timber-framed and vertically orientated window style if single, or in a horizontal bank if grouped windows are visible from the street;
- Eaves and verandahs or porches in street elevations.

It is policy that alterations and additions to existing dwellings should:
- Be single storey in scale when viewed from a street, not including a right-of-way;
- Be sited to the rear of the existing dwelling;
- Promote side setbacks, which reflect the rhythm of the existing spacing between dwellings;
- Be the same, or a contemporary interpretation of the wall cladding of the existing dwelling for walls visible from the street;
- Be compatible with the roof form and material of the heritage place when visible from the street;
- Avoid alterations to significant fabric of the facade or profile of the main roofline as viewed from the street;
- Retain contributory features such as chimneys and bluestone foundations;
- Avoid windows in upper floor elevations facing the street;
- Promote ground floor windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped.

Ferguson Street Civic and Commercial Heritage Precinct Policy

This policy applies to all land and heritage places within the Ferguson Street Civic and Commercial precinct (HO7) including places individually listed in the Schedule to the Heritage Overlay in Ferguson Street in Williamstown.

Policy basis

Historically, Ferguson Street formed the northern boundary of Williamstown as originally surveyed by Hoddle in 1837 and is significant for its ability to illustrate key phases in its development as a city from the mid-nineteenth to the mid-twentieth century.

This policy implements the recommendations of the *Hobsons Bay Heritage Study Amended 2017* relating to this precinct.

Objectives

To conserve and enhance the historic character and amenity of Ferguson Street that is an important part of its identity and enhances its appeal as a retail centre.

To retain the distinctive cultural heritage significance of this precinct, which distinguishes it from other precincts in Hobsons Bay and is derived from:
- The commercial buildings that demonstrate the later development of Ferguson Street, which replaced Nelson Place as the main commercial and civic centre of Williamstown between the late nineteenth and mid-twentieth century;
- The setting and visual prominence of landmark civic and commercial buildings on key sites throughout the precinct such as the former Williamstown Town Hall and Municipal Offices and the former Punshon’s Federal Stores;
The strong associations with the maritime industries and professions that were key influences in the early historic development of Williamstown;

The predominant two storey scale, siting (attached and constructed to the property line), construction (face or rendered brick), roofs concealed behind parapets, and subdivision pattern (narrow frontages) of surviving commercial heritage places, which provide a consistent element throughout the precinct;

The rare surviving original shopfronts, awnings and other early detailing on some buildings.

Policy

It is policy to encourage infill development that has:

- Respect for the double storey scale of the precinct with vertical proportions. Development above two storeys may be appropriate if the upper level is setback to minimise visibility from Ferguson Street;
- Attached siting with no front setback;
- Face pressed brick, smooth rendered brick or masonry style for walls that are visible from Ferguson Street or from streets and lanes that intersect Ferguson Street;
- Hipped roof form concealed behind parapets;
- Timber framed rectangular windows in upper elevations with vertical proportions if single or a horizontal bank if grouped. Large unbroken expanses of glass on upper facades are generally not supported;

It is policy that alterations and additions to existing dwellings should:

- Be single storey scale or not exceeding the height of the existing building on the site;
- Be sited to the rear of the existing building;
- Be the same, or a contemporary interpretation of the wall cladding of the existing building on the site, for walls visible from the street;
- Be compatible with the roof form and material visible of the heritage place from the street;
- Avoid alterations to significant fabric of the principal façade, or the profile of the main roofline as viewed from the street;
- Retain contributory features such as chimneys and bluestone foundations;
- Avoid windows in upper floor elevations facing the street;
- Promote ground floor windows that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped when visible from the street.

It is policy that:

- Early examples of painted or other types of advertising signage are conserved.

Nelson Place Heritage Precinct Policy

This policy applies to all land and heritage places within the Nelson Place Heritage Precinct (HO21) including places individually listed in the Schedule to the Heritage Overlay in Nelson Place (part) and Cole Street (part) and 1 Parker Street in Williamstown.

Policy basis

The Nelson Place Heritage Precinct is historically significant as it was the major commercial centre of Williamstown in the nineteenth century, and is the area that perhaps best demonstrates the strong relationship between the development of the city and the development of the port. It includes some of the earliest commercial development in Williamstown and is important for its strong and
long-standing associations with maritime activities that defines the essential character of Williamstown and distinguishes it within the metropolitan area. It also illustrates how self-sufficient close-knit communities were established during the nineteenth century.

The Nelson Place Heritage Precinct is also significant as a remarkably intact and cohesive nineteenth century commercial precinct, which is distinguished by its intact and fine examples of nineteenth century commercial architecture from the mid-to-late Victorian period, which illustrate the prosperity of the port at that time. It is also notable for its direct visual relationship with the port and the related cultural landscape provided by the Commonwealth Reserve.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

**Objectives**

To conserve and enhance the historic character and amenity of Nelson Place that is an integral part of its identity and enhances its appeal as a cultural tourism precinct in a metropolitan context.

To retain the cultural heritage significance of this precinct which is derived from:

- The pre-1860 buildings, which comprise one of the most significant collections of commercial buildings from this period within Victoria;
- The strong associations with the maritime industry and development of the Port of Williamstown during the nineteenth century;
- The almost continuous and intact group of two-storey Victorian buildings which are harmonious in scale and siting and display a variety of architectural detail typical of late nineteenth century commercial development;
- The presence of a number of substantial nineteenth century commercial buildings, especially banks, designed by noted Melbourne architects;
- The unique visual and landscape relationship between the two-storey commercial development in Nelson Place, Commonwealth Reserve and Hobsons Bay, which is not found elsewhere in Melbourne;
- The unusual geometry of the intersection between Parker and Cole Streets with Nelson Place, which is emphasised by the placement of the former Williamstown Post Office on the apex of Parker and Cole Streets, and framed by the banks on either corner;
- Sections of the roadway that retain basic early century layouts which highlight the period of the precinct, including asphalt and some stone footpaths and basalt kerb and channel with verandah fixings evident in the kerb;
- Rare wrought-iron balustrades to open drain inlets and stone paved carriageways at the rear of some sites;
- Regular shaped lots with frontages typically between 7-11 metres, which create a distinctive pattern of development;
- The mature planting, rotunda, and trees in the Commonwealth Reserve, and the mature street trees in Nelson Place that provide a related cultural landscape setting for the architecture;

**Policy**

It is policy to encourage infill development that has:

- Respect for the double storey scale of the precinct.
- Attached siting with no front setbacks.
- Face or rendered brick for walls visible from Nelson Place, Cole Street, Parker Street or Thompson Street.
- Hipped roof forms concealed behind parapets.
- Upper floor elevations in windows visible from the street should be rectangular with vertical proportions if single. Large unbroken expanses of glass on upper facades are not permitted.

It is policy that alterations and additions to existing dwellings should:

- Avoid alterations to significant fabric of the facade or profile of the main roofline as viewed from the street.
- Promote the use external colours and materials that compatible with the original colours and materials of the heritage place.
- Promote roof forms visible from the street that relate to that of the heritage place.
- Promote windows and other building openings visible from the street that relate to those of the heritage place.

It is policy that:

- Early examples of painted or other types of advertising signage are conserved.
- Reconstruction of verandahs should be in accordance with the Nelson Place Verandahs Guidelines, Helen Lardner Conservation & Design, 2002.

**Cox’s Garden Heritage Precinct Policy**

This policy applies to all land and heritage places within the Cox’s Garden Heritage Precinct (HO2) including places individually listed in the Schedule to the Heritage Overlay in Cox’s Garden.

**Policy basis**

The Cox’s Garden Heritage Precinct was one of the first private subdivisions created just north of the original government subdivision of Williamstown and illustrates the optimistic early speculative subdivision that occurred in anticipation of the future development of the port and the township. It contains at least two rare examples of small pre-1860 timber houses, which are amongst the oldest group of houses in Williamstown and the oldest group of timber houses in the metropolitan area. It is also important for the historical associations of early residents of Cox’s Garden with the early maritime pursuits that distinguish Williamstown in the metropolitan area.

The Cox’s Garden Heritage Precinct is now a rare surviving example of the small private subdivisions that were created in the area to the north of Ferguson Street with their distinctive “cheek by jowl” character of modest, cheaply constructed and often prefabricated housing erected for working class people during the earliest period of settlement.

The historic character of this precinct, so different to the spacious streets in the Government Survey to the south of Ferguson Street, may still be understood and interpreted despite the loss of all but one house on the west side and the development of a public car park. Few other streets, either in Williamstown or the metropolitan area, have retained this distinctive early character.

This policy implements the recommendations of the *Hobsons Bay Heritage Study Amended 2017* relating to this precinct.

**Objectives**

To support the reconstruction of buildings on the west-side of the street.

To retain the distinctive cultural heritage significance of this precinct which is derived from:

- The rare pre-1860 timber cottages, which illustrate the early development of Cox’s Garden and are part of one of the most significant collections of buildings from this period within any municipality in Victoria;
- The strong association with maritime industries that is an integral part of the character of Williamstown;
The uniform single storey scale, siting (detached, parallel and close to the frontage), construction (predominantly horizontal weatherboard with simple hip roof) and subdivision pattern (single dwellings on narrow rectangular allotments) of the heritage places. Typically, there is no provision for car parking on site;

Regular shaped lots with average frontages of 10 metres, which creates a distinctive pattern of development.

**Policy**

It is policy to encourage infill development that has:

- Respect for the single storey scale of the precinct with detached siting parallel to the frontage;
- Minimal frontage setbacks and small side setbacks;
- Horizontal weatherboards of walls visible from Cox’s Garden;
- Simple hipped roof forms of corrugated iron;
- Symmetrical facade composition with centrally located doorways flanked by rectangular double hung timber-framed windows that are vertically orientated;
- Narrow eaves and verandahs in street elevation.

It is policy that alterations and additions to existing dwellings should:

- Be single storey in scale when viewed from a street;
- Be sited to the rear of the existing building;
- Promote side setbacks, which reflect the rhythm of the existing spacing between dwellings;
- Promote the conservation of original or significant fabric, and missing fabric reconstructed where opportunities arise;
- Promote horizontal weatherboard cladding for walls visible from Cox’s Garden;
- Promote roof forms and material visible from the street that is compatible with that of the heritage place;
- Avoid alterations to significant fabric of the facade or profile of the main roofline as viewed from the street;
- Avoid windows in upper floor elevations facing the street;
- Promote ground floor windows visible from the street that are rectangular, timber-framed and vertically orientated if single, or in a horizontal bank, if grouped.

It is policy to:

- Encourage construction of the original street detailing including basalt kerb and channel and asphalt footpaths;
- Discourage vehicle crossovers at the frontage of sites;
- Encourage low timber picket fencing or other styles that are historically appropriate for the stylistic period of the dwelling, unless historic evidence to the satisfaction of the Responsible Authority can be given for an alternative design.

**Housing Commission of Victoria Estates Heritage Precincts Policy**

This policy applies to all land and heritage places within Housing Commission of Victoria - Champion Road Estate Heritage Precinct (HO15) and Housing Commission of Victoria - West Newport Estate Heritage Precinct (HO16) including places individually listed in the Schedule to the Heritage Overlay.
Policy basis

The Housing Commission of Victoria (HCV) developed the Champion Road and West Newport estates during the mid to late 1940s. These estates represented a new approach to housing provision to address criticism of the poor quality of earlier HCV estates and respond to criticism of the HCV’s policy of slum reclamation in the Interwar period. Each estate comprises semi-detached, gabled houses arranged in mirror-image pairs with near identical siting, orientation and setbacks. Some retain original low front fencing, typically wire and steel posts. Houses in the Champion Road Estate were constructed of red or clinker brick or stuccoed concrete walls. The West Newport Estate was the first to use the “Fowler” method of prefabricated concrete construction using panels made at the HCV’s plant at Holmesglen.

The homogeneous Interwar character of both precincts is enhanced by original concrete roads and footpaths, mature trees in some streets, and centrally located areas of open space to which some of the houses are orientated. These features demonstrate the efforts made by the HCV to promote these areas as model housing estates.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

Objectives

To support the upgrading of these dwellings to meet modern lifestyles in a manner that is compatible with their significance.

To retain the distinctive cultural heritage significance of these precincts which is derived from:

- The homogeneous Interwar character that is demonstrated by uniform single storey scale, semi-detached siting with identical front and side setbacks, brick (Champion Road) or concrete (West Newport) construction, tiled gable roofs, and regular subdivision patterns single dwellings) of the contributory heritage places;

- The strong associations with the Housing Commission of Victoria as early examples of new responses to public housing in the post-war period;

- The original public realm elements including the concrete streets and footpaths, parkland, which enhance the Interwar character of the estates;

- Regular shaped lots with average frontages of 12 metres, which create a distinctive pattern of development.

Policy

It is policy to encourage infill development that has:

- Respect for the single storey scale of the precinct;

- Identical building footprints that mirror the adjoining attached dwelling for the parts of the dwelling visible from the street;

- Red or clinker style brick in Gem Street or Cerberus Crescent, or smooth rendered brick or masonry construction in other streets for walls visible from the street;

- Simple gable roof forms of corrugated iron or terracotta tiles that mirror the adjoining attached dwellings;

- Similar regular fenestration to the original houses in walls visible from the street;

- The provision of eaves.

It is policy that alterations and additions to existing dwellings should:

- Be single storey in scale however, double storey scale may be permitted if it is setback behind the main ridgeline of the dwelling to minimise visibility from the street;

- Be sited at the rear of the existing building;
- Smooth rendered brick or masonry construction for walls visible from the street;
- Promote roof forms and material visible from the street that is compatible with the heritage place;
- Avoid alterations to significant fabric of the facade or profile of the main roofline as viewed from the street;
- Avoid windows in upper floor elevations facing the street;
- Promote ground floor windows visible from the street that are timber framed with the same proportions as original windows.

Newport And Spotswood Residential Heritage Precincts Policy

This policy applies to all land and heritage places within the Spotswood Residential Heritage Precinct (HO30), Halls Farm Heritage Estate (HO11) Newport Estate Heritage Precinct (HO23), and Grindlay’s Estate Heritage Precinct (HO10) including places individually listed in the Schedule to the Heritage Overlay.

Policy basis

Speculators subdivided large areas of Newport and Spotswood in the late nineteenth century. In contrast to the haphazard small-scale subdivision that occurred in North Williamstown, the subdivisions in Newport and Spotswood were orderly grid subdivisions. However, like many other speculative subdivisions of the time, they were not developed until industrial expansion in the late nineteenth and early twentieth centuries transformed farmland in the area and created a demand for housing for its workforce. The historic pattern of development demonstrates the influence of the stations at Spotswood and Newport with earlier development generally located in close proximity to the stations.

The streets include groups of late nineteenth and early twentieth century houses that range from predominantly Victorian-era precincts such as Hope, Robert and George Streets in Spotswood, to more predominantly Edwardian and Interwar enclaves in Newport. The houses share common elements of scale, siting, materials and roof forms, which create cohesive groups that are an important part of the historic character of this precinct. Some streets retain early street detailing such as basalt kerb and channel and mature street trees, which enhance and reinforce the historic character.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

Objectives

To retain the distinctive cultural heritage significance of these precincts, which is derived from:

- The traditional grid street layout, Victorian-era dwellings, and other elements such as basalt kerb and channels and rear laneways that illustrate the nineteenth century origins of these precincts;
- The strong associations of many early residents with the major industries in this area that were key influences in the historic development of Newport and Spotswood during the early twentieth century;
- The architectural diversity, which comprises villas and bungalows from the Victorian to Interwar periods of generally uniform scale (predominantly single storey), siting (detached), construction (predominantly horizontal weatherboard with pitched hipped or gable roof) and subdivision pattern (single dwellings on regularly shaped similar sized allotments) of residential buildings, which provide a unifying element throughout the precincts;
- Regular shaped lots with frontages predominantly between 12-15 metres interspersed with some narrower lots, which creates a distinctive pattern of development.
Policy

It is policy to encourage infill development that has:

- Respect for the single storey scale of the precinct. Double storeys may be appropriate if it is setback to minimise visibility from the street;
- Detached siting parallel to the frontage;
- Symmetrical or asymmetrically designed double fronted forms;
- Contemporary interpretation of the wall materials found on heritage places in the same street for walls visible from the street;
- Simple hipped corrugated iron roof form, except in streets with predominantly Edwardian or Interwar character where more complex hipped and gable roof forms are appropriate. Alternative roof materials may include slate in predominantly Victorian streets or terracotta in predominantly Edwardian or Interwar streets;
- Rectangular, timber-framed and vertically orientated if single, or in a horizontal bank if grouped, windows when visible from the street;
- Eaves and verandahs or porches in street elevations.

It is policy that alterations and additions to existing dwellings should:

- Be single storey scale when viewed from the street;
- Be sited to the rear of the existing building;
- Promote side setbacks that reflect the existing spacing between dwellings;
- Be the same, or a contemporary interpretation of the wall cladding of the existing dwelling for walls visible from the street;
- Promote roof forms and materials compatible with the heritage place;
- Avoid alterations to significant fabric of the facade or profile of the main roofline as viewed from the street;
- Retain contributory features such as chimneys;
- Avoid windows in upper floor elevations facing the street;
- Promote ground floor windows visible from the street that are rectangular, timber framed and vertically orientated if single, or in a horizontal bank if grouped.

Newport Civic and Commercial Heritage Precinct Policy

This policy applies to all land included within Newport Civic & Commercial Heritage Precinct (HO22) and Melbourne Road Commercial Heritage Precinct (HO20) including places individually listed in the Schedule to the Heritage Overlay in the Melbourne Road Commercial Heritage Precinct (HO20).

Policy basis

Newport shopping centre developed because of its proximity to the railway station, originally known variously as ‘Geelong Junction’, ‘Greenwich’ or ‘Newport Junction’. The 1880’s was an era of speculative development and grand Victorian buildings including the former Newport Hotel erected in 1887, the former Commercial Bank erected in 1888 and the two storey Italianate shop at 15-17 Mason Street, erected in 1891 illustrate the optimism for the future development of this area.
The recession of the 1890’s meant that development temporarily ceased, until expansion of industries in the early part of the twentieth century led to increased residential development and consequently, expansion of this shopping centre. Most of the development of the centre therefore occurred within the Edwardian and Interwar period, which included the construction of the Edwardian brick station complex in 1912 to cater for the growing population.

The Newport Civic and Commercial precinct today comprises a number of individually notable Victorian-era buildings interspersed amongst groups of Edwardian and Interwar-era shops, which share common siting, scale, and use of materials, which create cohesive groupings that contribute to the character and identity of this centre.

This policy implements the recommendations of the Hobsons Bay Heritage Study Amended 2017 relating to this precinct.

**Objectives**

To conserve and enhance the historic character and amenity of Newport that is an integral part of its identity and enhances its appeal as an important local retail centre.

To retain the distinctive cultural heritage significance of this precinct which is derived from:

- The strong associations between the historic development of this precinct and the development of the railway, and later, the expansion of major industries in the area during the early twentieth century;
- The uniform Interwar era shops of single storey scale, attached siting with roofs concealed behind parapets in Melbourne Road (north of Mason Street);
- The fine examples of predominantly Edwardian and Interwar commercial buildings of similar scale, face brick or rendered masonry construction, attached siting, and roofs concealed behind decorative parapets that give this centre its unique historic character and identity;
- The rare surviving examples of early shopfronts and other detailing such as early or original signage;
- The visual prominence and setting of historic landmark buildings such as the Former Masonic Temple, Newport Station complex, Newport Hotel, and the former Bank of Australasia. Significant vistas along Melbourne Road to the Masonic Temple and the Newport Hotel remain.

**Policy**

It is policy to encourage infill development that has:

- Respect for the double storey scale fronting Hall Street and Melbourne Road (south of North Road). Development above two storeys should be setback from the main facade to minimise visibility from Hall Street;
- Respect for the single storey scale fronting Melbourne Road (north of Mason Street). Upper storeys should be setback to minimise visibility from Melbourne Road and protect the vista to the Masonic Temple;
- Attached siting with zero frontage setbacks;
- Face or rendered brick to the facade facing Hall Street or Melbourne Road, and a contemporary interpretation of traditional building materials and forms at the rear of properties;
- Hipped roof forms concealed behind parapets, with hipped or skillion roofs at the rear;
- Upper floor windows in facades facing Hall Street or Melbourne Road should be rectangular with vertical proportions if single or a horizontal bank, if grouped;
- Upper floor facade articulation should incorporate contemporary interpretations of traditional building forms in the precinct such as projecting window bays, or recessed balconies;

It is policy that alterations and additions to existing dwellings should:
- Incorporate contemporary interpretations of building styles and forms found in the precinct in facades facing Hall Street or Melbourne Road;
- Promote upper floor additions that are setback to minimise the visual impact upon Hall Street and Melbourne Road;
- Avoid separations between buildings at the front;
- Incorporate the traditional use of buildings as retail or commercial at the street frontage and residential above or behind.

It is policy that:
- Early examples of painted or other types of advertising signage are conserved.

**Industrial Heritage Places Policy**

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

**Policy basis**

Since the mid-nineteenth century, a dominant theme in the development of Hobsons Bay has been the growth of industry. Some of Victoria’s most significant industrial heritage is now found within the city. Industries associated with meat and meat processing, engineering and fuels including coal, gas, electricity and petroleum have been dominant in Hobsons Bay over a long period of time. Many industries have been important not only locally, but also to the Victorian and national economy. Significantly, early industries such as the railway workshop and shipyard provided plentiful and steady employment for local residents. While many large industries have disappeared, industry in Altona, particularly at the petro-chemical complex, continues to employ a significant proportion of the labour force resident in the area.

The *Hobsons Bay Heritage Study Amended 2017* has identified a wealth of industrial heritage in the area, including places such as the former Commonwealth Oil Refinery complex in Altona North, that are no longer used for their original purpose and have been redeveloped, to complexes such as the former Melbourne Glass Bottle works (now ACI) that continue processes commenced more than a century ago.

The conservation of industrial heritage places presents specific management issues, as it is often the use of the site that is of primary historical significance. While fabric such as buildings or plant contributes to the significance of industrial heritage places by illustrating development over time, the on-going replacement and upgrading of this fabric is often an integral part of the operation of the use. ‘Conservation by use’ is an important heritage principle and on this basis, there may be circumstances where it may be appropriate to permit the removal or alteration of fabric if it will facilitate the historic use of a site and ensure its future viability.

This policy implements the recommendations of the *Hobsons Bay Heritage Study Amended 2017* relating to this precinct.

**Objectives**

To ensure the continued viability of industrial heritage places for the uses and processes historically carried out on the site as an essential part of their significance and conservation.

To increase awareness about the importance of industrial heritage in the municipality.

To ensure that heritage issues are given appropriate consideration at an early stage when making decisions about the future use and development of industrial sites.

To retain the distinctive cultural heritage significance of industrial heritage places which is derived from:
- The traditional and on-going use of industrial heritage places over a long period;
The important influence of the industrial heritage places on the economic and social development of the city;

The sheer size and extent of nineteenth century industries in Newport and Spotswood, which demonstrates not only their local economic importance, but also their importance to the economy of Victoria;

The probable national significance of the Newport, Spotswood and North Altona region as one of the most historically important centres in relation to the development of the petroleum and petrochemical industries in Australia;

The surviving examples of early industrial building types, plant and equipment;

The associated infrastructure such as railways, pipe-lines, roads and wharves that are essential in understanding the complex historical interrelationships that occurred in the development of industries (particularly the petroleum and petrochemical industries) in the area.

**Policy**

Where a permit is required by the Heritage Overlay, it is policy that applications for development should have regard to:

- The continued viability of the historic use of the site;
- The balance between achievement of conservation objectives and economic viability, and occupational health and safety;
- The conservation of fabric of primary significance unless the fabric has been made redundant and is to be replaced by new buildings, plant or equipment;
- The retention of fabric of primary significance that is longer used in-situ if there is not an immediate need to remove or relocate it;
- Keeping an appropriate record of any significant fabric that is removed or demolished and is made to the satisfaction of the Responsible Authority.

When a use is discontinued and a site is redeveloped, new development including subdivision should have regard to:

- The retention of as much significant fabric as possible;
- The creative interpretation of the history of the heritage place through the design or layout of new development including buildings, subdivision, landscaping, movement systems and public art;
- The incorporation of a publicly visible historic marker, which provides the history of the site and may include text, images or maps to the satisfaction of the Responsible Authority.

**Decision Guidelines**

It is policy that before deciding on an application the Responsible Authority consider, as appropriate:

- Whether the proposed buildings, works or demolition will support the viability of the historic industrial use carried out on the site;
- Whether there is an opportunity for redundant equipment to remain in-situ as historic evidence or for interpretation;
- Whether the proposed interpretation will provide adequate information about the historic use and development of the site.
INDUSTRY

This policy applies to all land in the Industrial 1 Zone, Industrial 3 Zone, Mixed Use Zone and Special Use Zone Schedules 2, 3, 4 and 5.

Policy basis

Hobsons Bay contains extensive areas of industrial land. This land is of vital economic importance to the municipality and the State of Victoria. The use and development of this industrial land is also of great importance in determining the physical and environmental character of the municipality.

The Council has a responsibility to the State and the region to help ensure the continuing viability of major industries within its borders. Major industries are substantial employers and are vital elements in Victoria’s economic prosperity. These industries also attract further investment within the area and substantially contribute to the rate base of the municipality.

These extensive reserves of industrial land are well located to attract new investment to Hobsons Bay and contribute to the economic base of the municipality. Much of this land, particularly in the north-western sector of the municipality, is well suited to large scale manufacturing, transport and storage industries.

Many kinds of industries have the potential for substantial negative off-site impacts that, if not properly managed, can depress the livability and environmental quality of the municipality. All industries and service businesses can mitigate any potential negative amenity impacts by ensuring that their sites are properly landscaped and maintained, environmental assets of the area are protected and enhanced, and rubbish and unsightly materials removed. Given the topography and sparse vegetation of the industrial areas, it is particularly important that large industries play a major role in ensuring that their locality is visually attractive. Well maintained and attractive industrial and mixed use precincts will play a role in attracting modern industries that want to locate in landscaped settings to project a positive image.

The Hobsons Bay Industrial Land Management Strategy June 2008 and the Hobsons Bay Industrial Development Design Guidelines June 2008 establish a framework to provide clear direction on the appropriate use and development of each of Hobson Bay’s Industrial Precincts. Through consistent application of the guidelines Council is able to provide industry, greater certainty about how industrial areas will be managed and developed.

Objectives

- To facilitate appropriate industrial activity and employment opportunities within the municipality.
- To encourage quality landscaping and site design within industrial areas.
- To protect sensitive environmental areas from encroachment of inappropriate industrial activities.
- To encourage water sensitive and energy efficient urban design within industrial developments.
- To ensure that land use and development in the vicinity of core and secondary industrial areas does not adversely affect the viability of established industry within the area.

Policy

It is policy to:

- have regard to the Hobsons Bay Industrial Land Management Strategy June 2008 and the Hobsons Bay Industrial Development Design Guidelines June 2008 when considering any applications for subdivision, use and/or development in any of the zones to which this policy applies.
- require applications to be accompanied by an analysis of the use of the site, including the likely type and frequency of heavy vehicles, the proposed routes to access the site and the anticipated level of car parking that will be generated by the use of the site.
ensure that the orientation of the site, landscaping and layout of new development is designed to enhance the amenity of the area, reduce energy use and optimises natural ventilation, daylight and solar access.

- ensure landscaping is provided within frontage and side setbacks to the street, to outdoor car parking areas and where appropriate, along rear and side boundaries to the satisfaction of the responsible authority.

- encourage quality architectural design within new industrial developments to enhance the character and visual amenity of Hobsons Bay.

Policy references

- Hobsons Bay Industrial Land Management Strategy June 2008
- Hobsons Bay Industrial Development Design Guidelines June 2008
- Burns Road Industrial Estate Structure Plan, 1997
- Freightway Melbourne, Department of Transport, 1995
- Transporting Melbourne, Department of Infrastructure, 1996
22.03 [NO CONTENT]

19/01/2006
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ALTONA MEADOWS URBAN DESIGN POLICY

This policy applies to land in the Altona Meadows area. The area is bounded by Central Avenue and Queen Street to the north, Victoria Street to the east, South Avenue Merton Street and the southern boundary of properties abutting Spicer Boulevard/May Avenue to the south, and Henry Drive and Skehan Boulevard to the west. Refer to the attached map.

Policy basis

The area was originally subdivided in the 1890s in a formal grid pattern and was revised by the former City of Werribee into the current pattern. These changes involved blocking streets, turning them into a series of courts and culs-de-sac to prevent through traffic, the inclusion of speed humps and the winding road pavements in the western half.

The built form is characterised by buildings, which have generous street setbacks and are generally single-storey brick dwellings with tile roofs, sitting within landscaped front yards (garden beds, bushes and lawn). Only a few of the lots have fences that are small and the material used is generally timber or cast iron.

The area has poor access to public transport as well as narrow roads, lack of public open space that raises issues with regard to residential design, the need for private open spaces and on site car parking.

The policy implements the strategic directions of the Municipal Strategic Statement, Council’s Neighbourhood Character Study (1997) and Population and Housing Strategy ‘Our Changing Neighbourhoods – 1999’.

This policy enables site responsive and well designed residential development that will enhance and protect the strong neighbourhood character of the City’s residential areas.

Specific Design Objectives

New residential and infill development must have regard to the following specific design objectives:

- To reflect the distinctive qualities of Hobsons Bay.
- To reinforce the distinctive qualities and local identity of the area.
- To respect any strongly established neighbourhood character.
- To use materials and colours commonly used in the neighbourhood.
- To ensure design contributes to a safer environment.
- To use innovative designs that makes a positive contribution to the streetscape.
- To encourage the location of higher density development around Central Square Shopping Centre.
- To promote the concept of self-sustaining communities where living, working, recreating and shopping can all occur within walking distance.
- To recognise a portion of the Altona Meadows West precinct as an area of minimal change.

Policy

Context and Setting

The following additional matters should be noted in the surrounding area for preparation of the neighbourhood and site description and design response in accordance with the requirements of Clause 54 and Clause 55.

- The style and era of housing (eg. single storey);
- Materials used in the walls and roof of buildings; and
- Any other features of the area that are consistent or distinctive.
Assessment of the Design Response will include consideration of the following issues, which should be addressed in the Response:

- Whether the proposed development is in keeping with surrounding houses, including setbacks and built form;
- The relationship of landscaping with the streetscape; and
- Whether the proposal is an innovative design which contributes to the character of the area.

**Position on the site – frontage setback and width**

Much of the character of the neighbourhood is dependent on the width of frontages and the setback of buildings. If these are uniform, this rhythm should be maintained. Side setbacks are also strong contributor to the character of the area. Infill development should maintain the consistency of these elements by:

- Matching the frontage setback to the predominant street pattern;
- Maintaining the apparent frontage width pattern; and
- Providing generous setback on at least one side.

**Facade patterns and articulation**

Infill development should respect the dominant facade pattern of the streetscape in a contemporary way to retain and enhance the neighbourhood character. This facade pattern can be reflected by:

- Using similarly proportioned roof forms, windows, doors and verandahs; and
- Maintaining the proportion of wall space to windows and door openings.

**Colours and materials**

Use of appropriate building materials helps to reinforce neighbourhood character. Infill development can fit with the neighbourhood character in this way.

**Trees and Landscaping**

- Encourage landscape edge between property boundaries and driveways generally in accordance with Hobsons Bay City Council Landscape Design Guidelines (1999).

- Council to seek capital works funding or external funding for street planting/road improvements within the area.

- Maintain and encourage the links between local parks and courts and collector roads.

- Retaining any existing mature trees and incorporating them into the design.

- Planting at least one substantial tree to each average lot.

- Planting trees that are common to and perform well in the area.

- Providing a front garden that contributes to the character of the street.

- The maintenance of the open character of the area by requiring buildings at the front to be set back from at least one side boundary.

- Retention of landscape setbacks and increasing those setbacks where necessary to overcome other site layout deficiencies.

**Front boundary treatment**

Front fences and gardens contribute strongly to the streetscape. A building that meets all of the preceding design principles may still detract from the character of the area if boundary treatment is significantly different. This will be avoided by:

- Front fences and gardens, which complement the dominant street pattern.
Community Safety

Many of the preceding design principles are also concerned with the design of a safer living environment. In the interests of providing safer streets and houses, new development should:

- Maximise the number of windows that overlook the street.
- Use transparent fences to the frontage.
- Avoid medium height shrubby plant material along the frontage.
- Provide for the safety and security of residents and property.
- Light communal space with high mounted sensor lights.

Traffic and Car Parking

- Where possible, car parking should not be visible from the street, and should be contained within a building.
- Outdoor car parking should be landscaped to the satisfaction of the Responsible Authority.
- Single driveways should be encouraged on allotments less than 14m wide.
- 1.5 car spaces per unit where car parking is provided on a communal basis.
- 2 car spaces per unit where car parking is provided for the exclusive use of individual dwellings.
- Lots less than 13m wide will require special attention to the width of garages and car spaces to ensure adequate manoeuvring space is available.

Open Space

- Provide for adequate secluded private open space that will receive sunlight and is well integrated with living areas.
- Provide for 40 square metres of open space that is located at the side or rear of a dwelling and has a minimum width of 3 metres.

Policy references

WILLIAMSTOWN COMMERCIAL AREA - CAR PARKING POLICY

This policy applies to the Williamstown Commercial Area comprising the Douglas Parade/Ferguson Street and Nelson Place commercial precincts as shown on the MAP -WILLIAMSTOWN COMMERCIAL AREA. It will be applied to all applications for planning permits for a change of use or new development.

Policy basis

The section entitled ‘Activity Centres’ in the Municipal Strategic Statement (MSS) outlines the objectives and strategies for the various activity centres in the City of Hobsons Bay. A specific objective in the MSS relating to the Williamstown precinct activity centre is ‘to maintain and enhance the role of the existing Williamstown precinct activity centre’. The strategies identified to achieve the above objective include:

- Improve local area traffic and car parking management within and around the Williamstown centre.
- Require the provision of car parking in accordance with "Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000".

The availability of adequate car parking has a critical influence on the ability of a business centre to remain competitive. Parking in Williamstown: A Car Parking Strategy for the Commercial Centre, March 2000 has been prepared as part of Williamstown: A Vision for the Commercial Centre to address car parking needs of traders, shoppers, residents and visitors as well as strengthen the Williamstown business centre.

The above study has identified, among other things, that there is an immediate need for additional car parking; that there are differing sources of demand/supply and usage conditions in the two commercial precincts of Douglas Parade/Ferguson Street and Nelson Place; and that there are opportunities for the provision of off-site parking by collection of cash-in-lieu contributions.

This policy sets the context and basis for the implementation of the Williamstown parking strategy in terms of:

- The amount of car parking required in association with a change of use or a new development in the two commercial precincts of Douglas Parade/Ferguson Street and Nelson Place.
- Precinct Plans for the provision of additional off-site car spaces in the two precincts.

Objectives

- To recognise the particular parking requirements of Douglas Parade/Ferguson Street and Nelson Place commercial precincts.
- To ensure that each change of use or new development provides adequate parking to meet its own demand.
- To indicate how a cash-in-lieu scheme will operate.
- To ensure fair and equitable treatment of all land owners and users.

Policy

It is policy to:

- Encourage activities that have greater customer interaction to be located at ground floor level.
- Require provision of on site car parking in accordance with the Car Parking Rates identified in the Table 1.
- Consider collection of cash-in-lieu for physical provision of off-site parking, in situations where:
  - The subject site is too small or irregular in shape to enable suitable parking provision on-site.


- Provide for the purchase/lease of land identified, from time to time, for off-site public parking (but not in Council’s ownership) by Council, within five years of identification of land.

**Policy reference**


**Car Parking Rates – Table 1**

<table>
<thead>
<tr>
<th>Use</th>
<th>Car Space Measure And Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop - ground floor space</td>
<td>6 car spaces per 100 sqm</td>
</tr>
<tr>
<td>Office - ground floor space</td>
<td></td>
</tr>
<tr>
<td>Shop - first floor and above space</td>
<td>3.5 car spaces per 100 sqm</td>
</tr>
<tr>
<td>Office - first floor and above space</td>
<td></td>
</tr>
<tr>
<td>Restaurant (including café)</td>
<td>0.6 car spaces per seat available to the public</td>
</tr>
</tbody>
</table>
MIXED USE POLICY – ALTONA ACTIVITY CENTRE

This policy applies to the land contained within the Mixed Use Zone (MUZ) in Pier Street Altona on the north side of the railway line and in Blyth and Sargood Streets, Altona as shown on the attached MAP – ALTONA ACTIVITY CENTRE.

Policy basis

The Pier Street activity centre is one of the largest traditional strip centres in the municipality. In the Municipal Strategic Statement (MSS) such centres are recognised as a focus for ‘vibrant villages’ and places for community ‘interaction’ that meet everyday needs.

The shopping centre provides a compact and diverse neighbourhood activity centre for commercial activity with a range of facilities including, retail outlets, specialised food retailing, services, offices, light industry and other mixed uses. The centre benefits from a number of community facilities including the public library, parklands and several churches. The surrounding streets comprise an older established residential area.

In the MSS the specific objective relating to the Pier Street activity centre is ‘to maintain and enhance the role of the existing Pier Street precinct activity centre’. The strategies identified to achieve this objective include

- Encourage a centre with a positive identity and strong sense of place, defined retail/commercial precincts and a focus for community activity.
- Utilise the Pier Street, Altona Shopping Centre Outline Development Plan to guide the use and development of land in and around Altona shopping centre.
- Enhance and reinforce the visual amenity of the Pier Street centre via urban design, landscape and built form guidelines.
- Protect the amenity of adjacent residential areas.

Future development and planning decisions are in part to be guided by the Pier Street Altona Shopping Centre Outline Development Plan (ODP). The ODP ‘seeks to create a vibrant village with a sustainable future. It encourages a centre with a positive identity and strong sense of place, defined retail/commercial precincts, a focus for community activity, a well defined residential area with a variety of housing types, and strong integration of the Centre with the foreshore and Cherry Lake’.

The ‘Urban Village’ concept has been adopted as a key thread of the ‘hobsons bay strategy: charting our future’ and is incorporated into the MSS. Pier Street Shopping Precinct as a designated ‘urban village’ is seen as mixed-use centre, with a mix of housing, community facilities and activities.

- Pier Street Altona, Northern Precinct

The Outline Development Plan (ODP) prepared for the Pier Street shopping centre has identified that the retail/commercial activity along Pier Street ‘is sharply divided by the railway line into two distinct areas, the northern precinct and the southern precinct

While the southern precinct which contains the core retail activities including offices, services and the Coles supermarket has an attractive streetscape, the northern precinct suffers from poor visual amenity. This impedes its ability to attract new investment.

The northern precinct which lies between Railway Street North and Civic Parade comprises mixed uses, including light industrial, service industry, community hall and other commercial activities. This stretch of land on both sides of Pier Street is zoned Mixed Use Zone (MUZ) in the Planning Scheme.

This policy is intended to achieve the vision articulated in the MSS and to implement the strategic principles of the ODP particularly for the land zoned Mixed Use on the north side of the railway line.
Blyth Street, Altona

The subject area that is zoned MUZ along Blyth and Sargood Streets, Altona contains a mix of uses – dwellings, a medical centre, telephone exchange and a church and acts as a transition zone between the western core retail area of the shopping centre and residential area. It is flanked by the Council car park on the north and the Council library and the Logan Reserve on the south.

The MUZ belongs to the suite of residential zones. While one of the purposes of a MUZ is to encourage the development of a range of commercial, retail, industrial and other uses which complement the existing mixed use function of the area, it is important that the type and nature of activities that are permitted to be established at this location, because of its interface with the residential area to the west, have minimal impact on the residential amenity. This MUZ should act as a buffer between the core retail area and the residential area. Care must be taken in selecting and siting uses to minimise loss of privacy, amenity and convenience to residents living nearby.

This policy sets the context and basis for the implementation of the ‘Pier Street, Altona Shopping Centre, Outline Development Plan’ and is intended to encourage appropriate mix of uses that would provide a transition between the commercial area and the residential areas and be compatible with residential amenity. In the Schedule to the MUZ, restrictions placed on floor area for shops would complement in achieving the above objective.

Objectives

- To develop a positive image for the Mixed Use Precinct which provides strong links to other precincts and which will positively contribute to the development of Pier Street activity centre as a vibrant village with a sustainable future.
- To facilitate a range of residential, commercial, office, limited industrial and other uses which complement the existing mixed use function of the precinct.
- To ensure that non-residential activity is compatible with dwellings in the zone and in adjacent residential zones.
- To develop a more consistent built form and streetscape to successfully integrate this area with other precincts within the Pier Street activity centre.

Policy

It is policy to:

- Take into consideration the intent and recommendations contained in the document Pier St, Altona Shopping Centre – Outline Development Plan 1999, when assessing an application for the use and development land in the Mixed Use Zone Precinct.
- Encourage only service type industries that are complementary to the existing industries in the Pier Street, Northern Precinct.
- Encourage consolidation of sites to permit larger scale commercial/office developments.
- Encourage uses that are compatible with adjacent residential and retail activities.
- Ensure each site provides for sufficient parking, loading and unloading and vehicle maneuvering.
- Encourage the provision of on site staff parking at the rear of mixed use developments.
- Discourage uses or new developments, which will be incompatible with continued residential presence through off-site environmental or amenity impacts.
- Ensure street planting and urban design treatments complement those in the retail core area.

Policy references

- Pier Street, Altona Shopping Centre – Outline Development Plan, 1999.
HOBSONS BAY WEST NEIGHBOURHOOD CHARACTER POLICY

This policy applies to development (including subdivision) in the General Residential Zone in the Hobsons Bay West neighbourhood character area, as shown on Map 1 forming part of this Clause.

Policy basis

The Hobsons Bay West neighbourhood character area comprises 10 precincts in the suburbs of Laverton, Altona Meadows and Seabrook. The Laverton precincts vary in character, but are generally comprised of open and spacious streetscapes, with low, horizontal dwellings. The proximity to Laverton Creek and stands of large native trees in some areas results in a distinctive bushland feel, which has the potential to be strengthened. Some precincts in Altona Meadows also display spacious and informal qualities due to wide road reservations, generous setbacks and the curvilinear street pattern. Other streetscapes in Altona Meadows are more uniform and compact due to the smaller lot sizes and formal street pattern. The Seabrook area contains a number of recently developed residential precincts, with gardens and street trees still establishing. Some streets in Seabrook are influenced by their proximity to Skeleton Creek, both in terms of their layout and abundance of native vegetation.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the Hobsons Bay Neighbourhood Character Study December 2002 which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay West. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The Hobsons Bay Neighbourhood Character Study defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay West.

Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are also considered to meet the related Objectives.

Precinct 1, Laverton

Character Description:

This precinct has a distinctive bushland feel due to the stands of large native trees, both in private gardens and the street space and the proximity to Laverton Creek. The informal, bushland qualities of the precinct are strengthened by the generous front and side boundary setbacks and the predominantly low and transparent front fencing. Dwelling materials and heights are consistent, with a low-level horizontality to the built form.
**Statement of Preferred Neighbourhood Character:**

The sense of spaciousness and informal bushland quality of the precinct should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes native trees and shrubs.</td>
</tr>
<tr>
<td></td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td></td>
<td>Front setbacks may be angled to the street.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
</tbody>
</table>

**Precinct 2, Laverton**

**Character Description:**

The streetscapes in this precinct have an open, spacious feel due to the large and consistent front setbacks, minimal front gardens and low or no front fences. Building stock is quite uniform being low scale, modest dwellings, with tiled roofs. The northern area of this precinct has a bushland quality due to the informal use of natives as street trees and the proximity to Laverton Creek.

**Statement of Preferred Neighbourhood Character:**

The spaciousness of the streetscapes and garden settings of the dwellings should be maintained and enhanced.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
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</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from front façade.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms.</td>
</tr>
</tbody>
</table>
Precinct 3, Laverton

Character Description:

Building styles and materials are mixed and inconsistent, adding variety and interest to the streetscapes in this precinct. Most dwellings are single storey, and combined with generous front setbacks, which results in a low and horizontal built form. The informality of the street layout is emphasised by the lack of footpaths and front fences and the existence of grassy verges.

Statement of Preferred Neighbourhood Character:

The informal variety of the streetscapes in this precinct, and the low and horizontal built form should be maintained and strengthened.

<table>
<thead>
<tr>
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<th>Design Responses</th>
</tr>
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<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
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<td>To maintain the existing dwelling pattern.</td>
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</tr>
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<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms.</td>
</tr>
</tbody>
</table>

Precinct 4, Altona Meadows

Character Description:

Though the road reservations are wide, the streetscapes in this precinct have a compact feel due to the small to medium lot sizes, and small to moderate setbacks of the buildings. Wide grassy nature strips and minimal planting within the front setbacks give the streetscapes a bare, unfinished quality which will soften over time provided appropriate planting is encouraged. The winding road pavement, within the grid street pattern, is a distinctive feature of this precinct.

Statement of Preferred Neighbourhood Character:

The uniformity of the building siting, openness of the streetscapes and the garden settings of dwellings should be maintained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the consistency of front boundary setbacks.</td>
<td>The front setback should be no less than the average setback of the adjoining two dwellings.</td>
</tr>
<tr>
<td>To maintain the pattern of spacing between buildings.</td>
<td>Buildings should be set back from at least one side boundary by a minimum of 1 metre.</td>
</tr>
<tr>
<td>To minimise the dominance of car parking structures.</td>
<td>Locate car-parking structures behind the line of the dwelling.</td>
</tr>
</tbody>
</table>
## Objectives

<table>
<thead>
<tr>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
</tbody>
</table>

## Precinct 6, Altona Meadows

### Character Description:

This precinct has openness due to the generous front setbacks of the dwellings and lack of front fencing. Houses are a mixture of single and double storey, with the double storey dwellings taking advantage of views to the Bay or Skeleton Creek. The curvilinear street pattern reflects the 1970s and 1980s era of the subdivision and the majority of the housing stock.

### Statement of Preferred Neighbourhood Character:

The openness of the streetscape and the garden settings of the dwellings should be retained and strengthened.

### Objectives

<table>
<thead>
<tr>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.</td>
</tr>
<tr>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
</tr>
</tbody>
</table>
Objectives
To minimise the loss of front garden space and the dominance of car parking structures.
To provide for the reasonable sharing of views to Skeleton Creek or the coast.

Design Responses
Locate garages and carports behind the line of the dwelling.
Buildings should be sited to take into account the view corridors to Skeleton Creek or the coast from nearby properties and public spaces.

Precinct 7, Seabrook

Character Description:
This precinct demonstrates a consistency in building styles and materials and contains a number of large, native canopy trees in both private gardens and the street space. The existence of tall trees and the curvilinear street pattern in the northern area of the precinct strengthens the native bushland feel and reflects the presence of the creek nearby. Despite the rectilinear street pattern in the southern part of this precinct, the sense of informality is continued due to the planted, wide nature strips and the existence of footpaths only in collector roads.

Statement of Preferred Neighbourhood Character:
Strengthen the open and informal bushland qualities of the precinct.

Objectives
To maintain and strengthen the native garden settings of the dwellings.
To maintain the existing dwelling pattern.
To minimise the loss of front garden space and the dominance of car parking structures.
To provide for the reasonable sharing of views to Skeleton Creek.

Design Responses
Retain large, established trees and provide for the planting of new native trees and shrubs wherever possible. (Locate footings outside root zone).
Locate garages and carports behind the line of the dwelling.
Minimise paving in front garden areas including driveways and crossovers.
Use of permeable driveway materials.
Buildings should be sited to take into account the view corridors to Skeleton Creek from nearby properties and public spaces.

Precinct 8, Seabrook

Character Description:
The streetscapes in this precinct have a spacious quality due to the generous front setbacks of dwellings and lack of front fences. Wide, grassy nature strips add to this quality. Dwelling styles and materials give the built form a cohesive quality, broken up by large canopy trees both in the public and private domain. The curvilinear street layout is reminiscent of Skeleton Creek, located to the north of the precinct.

Statement of Preferred Neighbourhood Character:
The spacious quality of the streetscapes and the cohesiveness of the built form should be retained and strengthened.
Objectives | Design Responses
---|---
To maintain and strengthen the garden settings of the dwellings. | Retain large, established trees and provide for the planting of new native trees and shrubs. Retain existing native and indigenous trees and understorey wherever possible. (Locate footings outside root zone).

To maintain the existing dwelling pattern.

To minimise the loss of front garden space and the dominance of car parking structures. | Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.

To provide for the reasonable sharing of views to Skeleton Creek. | Buildings should be sited to take into account the view corridors to Skeleton Creek from nearby properties and public spaces.

Precinct 9, Seabrook

Character Description:
This precinct is uniform and well maintained with large, decorative dwellings and regular, moderate front setbacks. The streetscapes have an open and manicured appearance due to the lack of front fencing, groomed nature strips and lack of overhead power lines. This formality is reinforced with consistent avenues of native street trees.

Statement of Preferred Neighbourhood Character:
The uniformity and openness of the precinct should be maintained and strengthened.

Objectives | Design Responses
---|---
To maintain and strengthen the garden settings of the dwellings. | Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.

To maintain the existing dwelling pattern.

To minimise the loss of front garden space and the dominance of car parking structures. | Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.

Precinct 10, Altona Meadows

Character Description:
This precinct has a cohesive quality due to the consistently generous front setbacks, space between buildings and low scale building form. The siting of the buildings has also allowed for reasonably sized gardens despite the relatively small housing lots. The street space has a sense of being open and well maintained due to the large, groomed nature strips and the predominantly low or non-existent front fencing.

Statement of Preferred Neighbourhood Character:
The cohesive and spacious qualities of this precinct should be retained and strengthened.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Buildings should be sited and designed to incorporate space for the planting of vegetation.</td>
</tr>
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<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
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<td>Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

**Policy reference**

*Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay West Precincts 1 – 10.*
Map 1 - The Hobsons Bay West Neighbourhood Character Precincts
HOBSONS BAY NORTH NEIGHBOURHOOD CHARACTER POLICY

This policy applies to development (including subdivision) in the General Residential Zone in the Hobsons Bay North neighbourhood character area, as shown on Map 1 forming part of this Clause.

Policy basis

The Hobsons Bay North neighbourhood character area comprises 13 precincts in the suburbs of Brooklyn, Altona North, South Kingsville, Spotswood and Newport. Brooklyn is characterised by consistent dwelling forms and established gardens, qualities that are also evident in many areas of Altona North and South Kingsville, where single storey brick and tile dwellings from the 1950s and 1960s are a dominant feature. Much of Altona North is also characterised by a formal street layout with the transecting wide diagonal streets being particularly unique. Many streets in Newport contain an architectural mix of housing, with many examples of Pre-war and Inter-war building stock which are highly valued by the local community. Similarly, Spotswood contains pockets of older homes, with the sense of history in some streets being strengthened by established avenues of street trees.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the Hobsons Bay Neighbourhood Character Study December 2002 which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay North. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The Hobsons Bay Neighbourhood Character Study defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay North.

Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Brooklyn

Character Description: This area demonstrates a consistency in building form and setbacks, being modest dwellings located in garden settings. The open space around the houses contributes to a sense of spaciousness in the streetscapes, strengthened by the mostly low front fences affording views into front gardens. The sense of spaciousness is less evident in streets that contain established, large street trees.

Statement of Preferred Neighbourhood Character: The consistent building form and garden settings of the dwellings should be maintained and strengthened.
Precinct 2, Altona North

Character Description: The architectural style of this precinct is predominantly single storey, brick and tile 1960s dwellings. However, there is evidence of some two storey development and weatherboard dwellings scattered throughout the area. Despite this mix in built form and materials, the unifying element in this precinct are the established gardens, including canopy trees, and the areas of consistent street tree planting. These elements combine to give the streetscapes a sense of ‘green enclosure’, strengthened by the presence of generous nature strips.

Statement of Preferred Neighbourhood Character: The dominance of front gardens and canopy trees throughout the precinct should be maintained and strengthened.

Precinct 3, Altona North

Character Description: This area, developed through the 1950s and 1960s, is one in which the horizontal emphasis of the dwelling form is important, resulting from the low elevations of the buildings in relation to their height. Most have similar, moderate front setbacks and are set back from both side boundaries, giving an open, garden setting to the streetscapes. In some areas of the
precinct, established avenues of Paperbarks give the streets a more enclosed feel. The ‘Walter Burley Griffin-esque’ street layout in the eastern area of the precinct is another unique characteristic of this area.

**Statement of Preferred Neighbourhood Character:** The horizontality of the dwellings and the garden settings of the dwellings should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
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<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
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<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade. Use low pitched roof forms.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

**Precinct 4, South Kingsville**

**Character Description:** This precinct is a relatively intact 1950s and 1960s neighbourhood with a low scale, modest feel. There is a strong sense of cohesiveness due to the similar building forms, both in plan and elevation, and the consistency in front and side setbacks. Views into established front gardens are available due to the low scale front fences, with the streetscapes being further enhanced by the established street trees and nature strips.

**Statement of Preferred Neighbourhood Character:** The cohesiveness of the built form and garden settings of the dwellings should be retained and enhanced.

<table>
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<th>Objectives</th>
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</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible. Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.</td>
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<tr>
<td>To maintain the existing dwelling pattern.</td>
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<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
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<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Use low pitched roof forms.</td>
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<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

**Precinct 5, Newport**

**Character Description:** Large allotments and low scale 1950s and 1960s dwellings characterise this precinct and give the streetscapes a sense of spaciousness. This is strengthened by the moderate to generous front and side setbacks, and the use of low front fences. Private gardens are well established and tall gums in some streets are a feature.
Statement of Preferred Neighbourhood Character: The spaciousness of the streetscapes, consistency of built form and street tree planting should be retained and further enhanced.

<table>
<thead>
<tr>
<th>Objectives</th>
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</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
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<td>To maintain the existing dwelling pattern.</td>
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</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Use low pitched roof forms.</td>
</tr>
</tbody>
</table>

Precinct 6, Newport

Character Description: The presence of former Railway housing, with vertical timber cladding rarely found elsewhere, distinguishes this precinct from others. This sense of uniqueness is exacerbated by the isolated nature of this precinct due to its separation from housing to the north by a wide road, and lack of housing to the south, east and west. Bluestone kerbs and channels are a consistent feature of streets in the precinct, but street tree planting and presence of nature strips is very inconsistent, resulting in a sense of openness in many streets.

Statement of Preferred Neighbourhood Character: The garden settings and unique dwelling style and form should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees as well as low level vegetation wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures and access.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Use low pitched roof forms.</td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</td>
<td>Use timber or other non-masonry materials where appropriate, or incorporate lighter colours and materials into the design.</td>
</tr>
</tbody>
</table>

Precinct 7, Newport

Character Description: The streetscapes in this precinct have an intimate feel due to the small allotments and front boundary setbacks, and compact built form. Building styles vary from the older, northern areas of the precinct where pre-war architecture predominates to the southern and western areas of the precinct where 1950s and 1960s homes are located. Inter-war housing dominates through the central area of the precinct. Low and transparent front fences throughout afford views into the small front gardens, and this is combined with the presence of street trees and grassy nature strips in some areas.
**Statement of Preferred Neighbourhood Character:** The intimate streetscapes and mixed, but compact built form should be retained and strengthened.

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<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
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</table>

To maintain the existing dwelling pattern.

To minimise the loss of front garden space and the dominance of car parking structures and accessways.

Locate garages and carports behind the line of the dwelling.

Minimise paving in front garden areas including driveways and crossovers.

To encourage innovative and contemporary architectural responses to surrounding dominant building styles.

Use simple building details.

Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.

Front fence style should be appropriate to the building era.

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**Precinct 8, Newport**

**Character Description:** This precinct is older than those to the north and west, as evidenced by the large proportion of Victorian, Edwardian and inter-war housing stock. This is also evident from the smaller front setbacks of some of the dwellings and the presence of rear laneways. Building materials are also mixed, though the use of similar roof tiles is consistent in sections. The streets in this area are dominated by greenery, including established gardens, wide nature strips and areas of avenue planting.

**Statement of Preferred Neighbourhood Character:** The mix of architectural styles and garden settings of the dwellings should be enhanced and strengthened.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
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</tbody>
</table>

To maintain the existing dwelling pattern.

To minimise the loss of front garden space and the dominance of car parking structures.

Locate garages and carports behind the line of the dwelling.

Provide vehicular access from a rear laneway if available.

To encourage innovative and contemporary architectural responses to surrounding dominant building styles.

Use simple building details.

Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.

Front fence style should be appropriate to the building era.
Precinct 9, Spotswood

Character Description: The streetscapes in this precinct have a low scale, compact feel due to the predominance of 1950s and 1960s architecture. The use of small pink leafed prunus in some streets enhances this horizontality as well as the use of orange/pink brickwork, which is also often used in matching front fences. The smaller housing lots and side setbacks in the majority of this precinct further enhances the compactness and uniformity.

Statement of Preferred Neighbourhood Character: The uniformity, low scale nature and compactness of the streetscapes should be retained and enhanced.

<table>
<thead>
<tr>
<th>Objectives</th>
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<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new canopy trees wherever possible.</td>
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<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
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<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms.</td>
</tr>
</tbody>
</table>

Precinct 10, Spotswood

Character Description: There is a sense of spaciousness in many streets in this precinct due to the large housing lots and generous front setbacks. In other streets, this spaciousness is countered by large, spreading street trees, which form a canopy over the street space. There is cohesiveness to the built form due to the low scale nature of the housing and the consistent use of weatherboard. The established garden settings of the dwellings give this precinct a green, leafy feel.

Statement of Preferred Neighbourhood Character: The cohesive built form and garden settings of the dwellings should be maintained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new canopy trees wherever possible.</td>
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<td>To maintain the existing dwelling pattern.</td>
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<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</td>
<td>Use simple building details.</td>
</tr>
<tr>
<td></td>
<td>Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.</td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</td>
<td>Incorporate timber or other non-masonry materials where appropriate.</td>
</tr>
<tr>
<td></td>
<td>Front fence style should be appropriate to the building era.</td>
</tr>
</tbody>
</table>
Precinct 11, Spotswood

**Character Description:** Despite the inconsistent street tree planting, the streetscapes in this precinct are green and leafy due to the established garden settings and existence of many significant canopy trees. The built form is distinctive due to a predominance of relatively intact pre and inter-war timber housing and this, combined with the small allotments and front setbacks, gives the streets a sense of compactness. Generous, grassy nature strips and unmade laneways are another feature of this precinct.

**Statement of Preferred Neighbourhood Character:** The green, leafy streets, sense of compactness and older, historic homes should be maintained and strengthened.

**Objectives** | **Design Responses**
--- | ---
To maintain and strengthen the garden settings of the dwellings. | Retain large, established trees and provide for the planting of new wide spreading canopy trees, wherever possible.

To maintain the existing dwelling pattern.

To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures. | Provide vehicular access from a rear laneway if available.

To encourage innovative and contemporary architectural responses to surrounding dominant building styles. | Use simple building details.

Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.

To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent. | Incorporate timber or other non-masonry materials where appropriate.

---

Precinct 12, Spotswood

**Character Description:** This precinct has an isolated feel being surrounded by mixed use and industry. This brings cohesiveness to the area despite the mix in architectural styles and materials, and inconsistent street tree planting. Due to the small to moderate lot sizes and small front setbacks in the majority of the precinct, the streetscapes have an intimate feel. This is further enhanced by low front fences affording views into front gardens.

**Statement of Preferred Neighbourhood Character:** The intimate streetscapes and older dwellings of the precinct will be maintained and strengthened.

**Objectives** | **Design Responses**
--- | ---
To maintain and strengthen the garden settings of the dwellings. | Retain large, established trees and provide for the planting of new trees wherever possible.

To maintain the existing dwelling pattern.

To minimise the number of vehicular crossovers and the dominance of driveways and car parking structures. | Provide vehicular access from a rear laneway if available.

To ensure that buildings and extensions do not dominate the streetscape. | Recess two storey elements from the front façade.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding dominant building styles.</td>
<td>Use simple building details.</td>
</tr>
<tr>
<td></td>
<td>Adopt or adapt existing building forms (eg. Façade plan forms, envelopes) without copying design details.</td>
</tr>
<tr>
<td>Front fence style should be appropriate to the building era.</td>
<td></td>
</tr>
</tbody>
</table>

**Precinct 13, Newport**

**Character Description:** The streets in this precinct are distinctive due to the existence of notably tall street trees and the retention of bluestone kerbing in most areas. The consistent lot sizes, front setbacks and single storey nature of the built form strengthen this cohesiveness. The allotment and street pattern within this precinct is also unique as allotments do not face the east-west streets.

**Statement of Preferred Neighbourhood Character:** The distinctiveness of the streets in this precinct and the cohesive, low scale nature of the built form should be maintained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td></td>
<td>Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To provide for the reasonable sharing of views to Newport Lakes recreation reserve.</td>
<td>Buildings should be sited to take into account the view corridors to Newport Lakes from nearby properties and public spaces.</td>
</tr>
</tbody>
</table>

**Policy reference**

Map 1. - The Hobsons Bay North Neighbourhood Character Precincts
HOBSONS BAY SOUTH NEIGHBOURHOOD CHARACTER POLICY

This policy applies to development (including subdivision) in the General Residential Zone in the Hobsons Bay South neighbourhood character area, as shown on Map 1 forming part of this Clause.

Policy basis

The Hobsons Bay South neighbourhood character area comprises 8 precincts in the suburbs of Altona and Seaholme. The character precincts in this area that are located close to the coast display informal beach qualities, with original bungalow styled housing remaining in some streets. Open views to the bay further strengthen the beachside character of many precincts in this area. Inland, the precincts were developed from the 1960s onwards and are more cohesive and uniform in building style, materials and setbacks. Many streets on the western edge of the Hobsons Bay South character area display an informal, ‘out of town’ feel due to proximity to large areas of open space and the stands of tall native trees, both in private gardens and the road reserve.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the Hobsons Bay Neighbourhood Character Study December 2002 which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay South. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The Hobsons Bay Neighbourhood Character Study defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay South.

Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Altona

Character Description: This precinct is distinctive for its cohesiveness and uniformity in building period, materials, form and setbacks. This is further enhanced by the consistent planting of street trees, which are also low-level and reinforce the single storey, horizontal nature of the precinct. There is a sense of openness to the intact 1960s streetscapes, brought about by wide road reservations and nature strips, and low or no front fences.

Statement of Preferred Neighbourhood Character: The intact nature of this precinct, distinctive for its consistent low scale building style, should be maintained and enhanced.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Use low pitched roof forms.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

**Precinct 2, Seaholme**

**Character Description:** This precinct is a 1970s ‘oasis’, surrounded by open space. Housing styles and materials, allotment sizes, setbacks and lack of front fencing are all very consistent and suggest a planned approach, which results in very uniform streetscapes. This uniformity and spaciousness are important qualities of this precinct, and could be further enhanced with consistent street tree planting.

**Statement of Preferred Neighbourhood Character:** The uniformity of the built form and spaciousness of the streets should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Use low pitched roof forms.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td></td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>
**Precinct 3, Seaholme and Altona**

**Character Description:** There is a sense of spaciousness in the streetscapes in this precinct, due to the large lot sizes and generous front setbacks and nature strips. This is strengthened by the low or no front fences, allowing views into the front gardens of the dwellings. Despite the diversity in building stock and street tree planting, the precinct has a sense of cohesiveness due to the regular grid layout of the streets and the coastal feel.

**Statement of Preferred Neighbourhood Character:** The spaciousness of the streetscapes and the garden settings of the dwellings should be retained and enhanced.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

**Precinct 4, Altona**

**Character Description:** This precinct demonstrates a diversity of architectural styles and dwelling types, and an eclectic use of building materials and colours. Front fences in a variety of heights and materials add to this mix. The redevelopment of this precinct is a result of the large lot sizes, proximity to Altona Village and desirable coastal location. Retention of the traditional, generous front setbacks and further use of canopy trees in private gardens and the public domain would give the precinct a unifying element.

**Statement of Preferred Neighbourhood Character:** The diversity of dwelling stock and garden settings should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To encourage innovative architecture.</td>
<td>New buildings should be individually designed to respond to the characteristics of the site and dominant building forms in the area.</td>
</tr>
<tr>
<td>To minimise the impact of buildings over two storeys on the streetscape.</td>
<td>Parts of buildings over two storeys should be recessed from the façade of lower levels.</td>
</tr>
</tbody>
</table>
### Precinct 5, Altona

**Character Description:** The streets in this precinct have a sense of openness due to the large allotments, generous setbacks and wide, grassy nature strips. The proximity to the coast is another unifying element, as are the views over low front fences into the mixed exotic and native front gardens. Built form is mixed in style, but generally low level and provides views behind rooftops of established canopy trees.

**Statement of Preferred Neighbourhood Character:** The spaciousness of the streetscapes and the garden settings of the dwellings should be retained and enhanced.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use a mix of materials that adds interest and vitality to the streetscape.</td>
<td>Use a mix of materials, including timber and non-masonry materials in building design where appropriate.</td>
</tr>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
</tbody>
</table>

### Precinct 6, Altona

**Character Description:** This area differs quite markedly from the adjacent precinct, being a more recent subdivision with 1980s and 1990s housing stock, much of which is two storeys. The streetscapes have a very open quality, although dominated by the buildings, due to the lack of vegetation and front fencing. This sense of openness is assisted by the lack of power lines and generous nature strips.

**Statement of Preferred Neighbourhood Character:** The openness of the streetscapes should be retained and strengthened.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs. Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
</tbody>
</table>
**Objectives**

To minimise loss of front garden space and dominance of car parking structures.

**Design Responses**

Locate garages and carports behind the line of the dwelling.

Provide only one vehicular crossover per frontage.

To maintain the sense of openness in backyards and the tree canopy backdrop to the streetscapes.

**Design Responses**

If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.

---

**Precinct 7, Altona**

**Character Description:** The proximity to the golf course and wetlands gives this precinct an informal ‘edge of town’ feel. There is also cohesiveness to the streetscapes due to the predominance of 1960s and 1970s housing, and established gardens. This is strengthened in some streets by the regular planting of tall, native trees, and wide, grassy nature strips.

**Statement of Preferred Neighbourhood Character:** The well treed, ‘edge of town’ feel should be maintained and strengthened.

**Objectives**

To maintain and strengthen the bushland garden settings of the dwellings.

**Design Responses**

Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.

Retain large, established trees and provide for planting of new native trees, where possible.

Buildings should be sited and designed to incorporate space for the retention and planting of substantial vegetation.

---

**Precinct 8, Foreshore**

**Character Description:** This precinct was originally home to modest, low scale 1950s and 1960s dwellings; however, this area has been transformed through the redevelopment of many sites with larger, contemporary styled dwellings. Despite the architectural mix, there is a consistency to the streetscape due to uniformly large front setbacks, low front fencing and sparse garden planting. Open, bay views and a row of Norfolk Island Pines reflect the unique beachside location of the precinct.

**Statement of Preferred Neighbourhood Character:** The open frontages and unique coastal setting of the precinct should be retained and strengthened.
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To strengthen the coastal character of the area through the planting of</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that utilise appropriate</td>
</tr>
<tr>
<td>appropriate coastal species.</td>
<td>coastal species.</td>
</tr>
<tr>
<td>To maintain the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise loss of front garden space and dominance of car parking</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>structures.</td>
<td></td>
</tr>
<tr>
<td>To provide for the reasonable sharing of views to the ocean or coast.</td>
<td>Buildings should be sited to take into account the view corridors to the ocean or coast from nearby</td>
</tr>
<tr>
<td>Building should be sited to take into account the view corridors to the</td>
<td>properties and public spaces.</td>
</tr>
<tr>
<td>ocean or coast.</td>
<td></td>
</tr>
<tr>
<td>To encourage innovative architecture that reflects the coastal setting.</td>
<td>New buildings should be individually designed to respond to the characteristics of the coastal</td>
</tr>
<tr>
<td></td>
<td>location and the site.</td>
</tr>
<tr>
<td></td>
<td>Incorporate building elements and details that contribute to a lightness of structure including</td>
</tr>
<tr>
<td></td>
<td>balconies, verandahs, light transparent balustrading etc.</td>
</tr>
<tr>
<td>To maintain the sense of openness in backyards and the tree canopy</td>
<td>If two or more dwellings are proposed, the dwelling(s) at the rear should be a single storey form.</td>
</tr>
<tr>
<td>backdrop to the streetscapes.</td>
<td></td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complements</td>
<td>Incorporate timber or other non-masonry materials where appropriate.</td>
</tr>
<tr>
<td>the vegetation and coastal setting.</td>
<td></td>
</tr>
</tbody>
</table>

**Policy reference**

*Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay South Precincts 1 – 8.*
Map 1. - The Hobsons Bay South Neighbourhood Character Precincts
HOBSONS BAY EAST NEIGHBOURHOOD CHARACTER POLICY

This policy applies to development (including subdivision) in the General Residential Zone in the Hobsons Bay East neighbourhood character area, as shown on Map 1 forming part of this Clause.

Policy basis

The Hobsons Bay East neighbourhood character area comprises 11 precincts in Williamstown and part of Newport. There are subtle differences between all precincts in this area but many are influenced by their location close to the bay. The unmade gravel shoulders and grassy verges in many of the older streets in Williamstown results in an informal quality, which is strengthened by the predominant use of weatherboard. Avenues of wide spreading exotics in some streets contrast with this informality. Precincts in the northern part of the character area display more inner urban characteristics due to the close knit network of narrow streets, laneways and small allotments. The majority of dwellings in these areas are low scale and lightweight, with restricted setbacks. Though many precincts in Williamstown and Newport contain older dwellings, there are also some recently developed areas such as the ‘Range’ and ‘Junction’ estates. Streets in these precincts tend to have an enclosed feel due to the narrow road pavements and vertical emphasis of the contemporary two storey, sometimes terraced houses.

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles. The policy implements the objectives and strategies contained in Clause 21.06 by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas of Hobsons Bay.

The policy implements the findings of the Hobsons Bay Neighbourhood Character Study December 2002 which identifies the key existing characteristics and preferred neighbourhood character of the residential areas of Hobsons Bay East. Development in residential areas should respond to the particular natural and built form elements which contribute to the preferred neighbourhood character of the area in which it is located. These elements include building form, scale, siting, materials, frontage treatment and vegetation density. The Hobsons Bay Neighbourhood Character Study defines character precincts based on the delineation of areas with similar character elements. These character precincts are shown on Map 1 forming part of this Clause.

Objectives

- To ensure that development responds to the preferred neighbourhood character of the precinct in which it is located.
- To retain and enhance the identified elements that contribute to the character of the precincts in Hobsons Bay East.

Policy

It is policy that the following Character Descriptions, Statements of Preferred Neighbourhood Character, Objectives and Design Responses are taken into account when considering any application to develop or subdivide land. Proposals that meet the Design Responses are considered to meet the related Objectives.

Precinct 1, Williamstown North

Character Description

A wide, crescent street forms the spine of this precinct and is distinctive in its form and sense of openness. The predominantly single storey built form and wide nature strips further emphasis this quality, as do the low level front fences allowing views into front gardens. Architectural styles and building materials are very mixed, as are front and side boundary setbacks. The cemetery to the north east and large park to the south west are key landmarks in the precinct.
Statement of Preferred Neighbourhood Character

The variety of dwellings in garden settings and the distinctive crescent streets should be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To reflect the existing dwelling pattern.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>Minimise the number of vehicular crossovers. Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To ensure new development respects the dominant building scale and forms of the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
</tbody>
</table>

Precinct 2, Williamstown

Character Description

The Rifle Range Estate is a recent and well known subdivision, recognisable for its coastal location and large homes, many in mock architectural styles. Until the street trees and private gardens become more established, the buildings will dominate the streetscapes due to their bright colours and dominant size. When the street trees become established, this combined with the vertical emphasis of the built form and the narrow road pavements will result in a greater sense of enclosure in the streets.

Statement of Preferred Neighbourhood Character

The unique coastal setting of this precinct and planting in the public and private domain should be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate low maintenance, coastal species.</td>
</tr>
<tr>
<td>To minimise the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To provide for the reasonable sharing of views to the ocean or coast.</td>
<td>Buildings should be sited to take into account the view corridors to the ocean or coast from nearby properties and public spaces.</td>
</tr>
</tbody>
</table>
Precinct 3, Williamstown

Character Description

This area has a sense of spaciousness, heightened by views to the water at the southern end. The streets are characterised by single storey, detached timber homes from the Inter-war and Post-war periods, set within established gardens, though there are a number of examples of two storey redevelopment in heavier materials. While front setbacks vary, many are large and side setbacks are provided. Street tree planting is consistent and mature and makes a substantial contribution to the character and coherence of the precinct.

Statement of Preferred Neighbourhood Character

The garden settings of the dwellings and overall cohesiveness of the precinct should be maintained and improved.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To minimise the impact of buildings over two storeys on the streetscape.</td>
<td>Parts of buildings over two storeys should be recessed from the façades of lower levels and setback at least 3 metres from the front façade.</td>
</tr>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Buildings should be sited and designed to incorporate space for the retention and planting of substantial vegetation.</td>
</tr>
<tr>
<td>To reflect the existing dwelling pattern.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Incorporate timber or other non-masonry materials where appropriate.</td>
</tr>
<tr>
<td>To encourage the use of lighter looking building materials that complement the traditional use of timber where it is particularly consistent.</td>
<td>Use simple building detailing.</td>
</tr>
</tbody>
</table>

Precinct 4, Williamstown

Character Description

A mix of early architectural styles is represented in this precinct, although unlike other precincts in this region, Inter-war architecture is quite prevalent. Some houses are substantial and located on large allotments, lending a sense of grandeur to some streets. This is particularly evident in Victoria Street, which is also consistently planted with an avenue of established Ashes. Other streets are more modestly scaled, but common elements of setback, garden settings and pitched roof forms create cohesion. The axial views to the water from the north-south streets are also an important feature of this area.
Statement of Preferred Neighbourhood Character

The early architectural styles representing the historical development of the area, generous front setbacks and garden settings of the dwellings should be maintained and strengthened.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes substantial trees and shrubs.</td>
</tr>
<tr>
<td>To reflect the existing dwelling pattern.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures and access.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>Minimise the number of vehicular crossovers and provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To ensure new development respects the dominant building scale and forms.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding dominant building styles and heritage buildings and streetscapes.</td>
<td>Use simple building details.</td>
</tr>
<tr>
<td></td>
<td>New development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.</td>
</tr>
<tr>
<td>To incorporate lighter looking building materials and finishes that complement the use of timber where this is particularly consistent.</td>
<td>Use timber or other non-masonry materials, or a mixture of masonry and non-masonry materials where appropriate.</td>
</tr>
<tr>
<td></td>
<td>Front fence style should be appropriate to the building era.</td>
</tr>
</tbody>
</table>

Precinct 5, Williamstown

Character Description

Many streets in this precinct have a spacious, shady and informal feel due to the wide-spreading exotics, gravel shoulders and grassy verges. The frequent use of timber adds a distinctive lightness to the streetscapes. Though a substantial proportion of the buildings are timber Victorian and Edwardian homes, there are some examples of more recent architecture and dwelling extensions. The rise of weatherboard and the unmade gravel shoulders and grassy verges in many streets is distinctive of Williamstown and adds to the seaside ambience. This is strengthened by occasional views to the water. Front fences are mixed, but generally low and provide views into established front gardens.

Statement of Preferred Neighbourhood Character

The spacious and informal qualities of the streetscapes, early architectural styles representing the historical development of Williamstown, and the distinctive low scale, lightweight nature of development should be retained and enhanced.
Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures and access.</td>
<td>Locate garages and carports behind the line of the dwelling.</td>
</tr>
<tr>
<td></td>
<td>Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
<tr>
<td></td>
<td>Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To ensure that buildings and extensions do not dominate the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding dominant building styles and heritage buildings and streetscapes.</td>
<td>Development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.</td>
</tr>
<tr>
<td>To use a mix of materials that complement the predominance of weatherboard dwellings where this is particularly consistent.</td>
<td>Use a mix of materials, including timber and other non-masonry materials, in building design where appropriate.</td>
</tr>
<tr>
<td></td>
<td>Use simple building details.</td>
</tr>
<tr>
<td></td>
<td>Front fence style should be appropriate to the building era.</td>
</tr>
</tbody>
</table>

Precinct 6, Foreshore

Character Description

Originally home to Victorian and Edwardian villas, this precinct has been filled since the 1950s with a mix of dwelling types from Modern through to contemporary 1990s styles. While timber is the predominant building material in Williamstown, many dwellings in this precinct are brick or rendered masonry structures. Furthermore, setbacks are substantial along this stretch, unlike most other areas in Williamstown. These factors combine to give the streetscapes a wide and austere feel, exacerbated by the lack of street trees. However, this openness does allow expansive sea views.

Statement of Preferred Neighbourhood Character

The established garden setting and the sense of seaside character in built form expression should be retained and enhanced.

Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:
<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To strengthen the coastal character of the area through the planting of appropriate coastal species.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate coastal species.</td>
</tr>
<tr>
<td>To reflect the existing pattern of dwellings.</td>
<td></td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures and access.</td>
<td>Locate garages and carports behind the line of the dwelling. Minimise the creation and width of new crossovers. Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To provide for the reasonable sharing of views to the coast.</td>
<td>Buildings should be sited to take into account the view corridors to the coast from nearby properties and public spaces.</td>
</tr>
<tr>
<td>To encourage innovative architecture that reflects the seaside location.</td>
<td>New buildings should be individually designed to respond to the characteristics of the coastal location and the site. Incorporate building elements and details that contribute to a lightness of structure including balconies, verandahs, light transparent balustrades etc.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to nearby heritage buildings and streetscapes.</td>
<td>Development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design. Use simple building details.</td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complements the coastal setting.</td>
<td>Incorporate timber or other non-masonry materials and finishes where appropriate. Front fence style should be appropriate to the building era.</td>
</tr>
</tbody>
</table>

**Precinct 7, Williamstown**

**Character Description**

The close-knit network of narrow streets, lanes and small allotments results in a sense of intimacy in many of the streetscapes in this precinct. This is heightened by the low scale, lightweight nature of the built form and the restricted and consistent setbacks due to the small lot sizes. There has been some new development, which is inappropriately scaled and detracts from the intimate nature of the streets. Due also to restricted space, there are no nature strips and little other greenery in the streets. The small front gardens, visible from the street due to low front fences, therefore play an important role in the streetscapes.

**Statement of Preferred Neighbourhood Character**

The intimate nature of the streetscapes and the distinctive low scale, lightweight nature of development in the area should be retained and encouraged.

**Objectives and Design Responses**

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:
Objectives | Design Responses
--- | ---
To maintain and strengthen the garden settings of the dwellings. | Retain large, established trees and provide for the planting of new trees wherever possible.

To minimise the loss of front garden space and the dominance of car parking structures and access. | Locate garages and carports behind the line of the dwelling.
Minimise the number of vehicular crossovers.
Provide vehicular access from a rear laneway if available.

To encourage innovative and contemporary architectural responses to surrounding dominant building styles, heritage buildings and streetscapes. | Use simple building details.
New development, including additions to existing buildings, should be distinguishable from the original dwelling stock through the use of innovative, contemporary design.

Front fence style should be appropriate to the building era.

**Precinct 8, Newport**

**Character Description**

This precinct is characterised by an architecturally diverse range of housing, but low scale timber homes are the prevailing form. Very few streets have nature strips and therefore street trees are often planted in the footpaths, giving the precinct an inner suburban feel. Some streets are consistently planted with established, tall trees which results in a sense of enclosure in some streets. Low front fences and views to front gardens are an important element in this precinct.

**Statement of Preferred Neighbourhood Character**

The low scale nature of the precinct and the garden settings of the dwellings should be retained and strengthened.

**Objectives and Design Responses**

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
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</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Minimise the number of vehicular crossovers. Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding dominant building styles, heritage buildings and streetscapes.</td>
<td>Use simple building details. New development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design.</td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complement the use of timber where it is particularly consistent.</td>
<td>Incorporate timber or other non-masonry materials and finishes where appropriate.</td>
</tr>
</tbody>
</table>
### Precinct 9, Newport

**Character Description**

Despite the regularity in street layout, road width and laneway pattern, this precinct has a less cohesive character due to the diversity in housing styles and inconsistent street tree planting. Although Victorian, Edwardian and Inter-war buildings are present throughout the precinct, there is also a large proportion of 1950s timber housing and 1960s+ development. The streetscapes in this precinct are quite spacious due to the generally low scale nature of the built form, larger allotments and generous front setbacks.

**Statement of Preferred Neighbourhood Character**

The generous garden setting and cohesiveness of the precinct should be retained and strengthened.

**Objectives and Design Responses**

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that includes planting within the front setback.</td>
</tr>
<tr>
<td>To minimise the dominance of driveways and car parking structures.</td>
<td>Minimise the number of vehicular crossovers. Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To ensure that new development respects the dominant scale and form of the streetscape.</td>
<td>Recess two storey elements from the front façade.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to heritage buildings and streetscapes.</td>
<td>New development, including additions to existing buildings, should be distinguishable from original dwelling stock through the use of innovative and contemporary design. Use simple building details.</td>
</tr>
</tbody>
</table>

**Precinct 10, Foreshore**

**Character Description**

Though there are occasional original dwellings located along The Strand, much of this precinct has been completely redeveloped with contemporary homes. There are many brick buildings and a high proportion of double storey dwellings. Due to the sheltered micro-climate, many dwellings are located in well established gardens. This combined with the relatively large front setbacks and side setbacks, softens the impact of the often large, imposing buildings. Due to the lack of street tree planting, views are available across the bay.

**Statement of Preferred Neighbourhood Character**

The established garden setting and the ‘bay side’ expression of the built form should be retained and strengthened.
Objectives and Design Responses

The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Retain large, established trees and provide for the planting of new trees wherever possible.</td>
</tr>
<tr>
<td>To strengthen the bay side character of the area through the planting of appropriate coastal species.</td>
<td>Prepare a landscape plan to accompany all applications for new dwellings that utilises appropriate coastal species.</td>
</tr>
<tr>
<td>To minimise the loss of front garden space and the dominance of car parking structures.</td>
<td>Locate garages and carports behind the line of the dwelling. Minimise paving in front garden areas including driveways and crossovers.</td>
</tr>
<tr>
<td>To provide for the reasonable sharing of views to the bay or coast.</td>
<td>Buildings should be sited to take into account the view corridors to the bay or coast from nearby properties and public spaces.</td>
</tr>
<tr>
<td>To encourage innovative architecture that reflects the bay side setting.</td>
<td>New buildings should be individually designed to respond to the characteristics of the bay side location and the site. Incorporate building elements and details that contribute to a lightness of structure including balconies, verandahs, light transparent ballustrades etc.</td>
</tr>
<tr>
<td>To encourage innovative and contemporary architectural responses to surrounding heritage buildings and streetscapes.</td>
<td>New development, including additions to existing buildings, should be distinguishable from the original dwelling stock through the use of innovative and contemporary design. Use simple building details.</td>
</tr>
<tr>
<td>To use lighter looking building materials and finishes that complements the bay side setting.</td>
<td>Incorporate timber or other non-masonry materials where appropriate.</td>
</tr>
<tr>
<td></td>
<td>Front fence style should be appropriate to the building era.</td>
</tr>
</tbody>
</table>

Precinct 11, Newport

Character Description

The streets in this precinct have an enclosed feel due to the narrow road pavements and nature strips, and predominance of a two story, terraced building form. The small setbacks of the dwellings from the front boundary and the avenue planting of vertically emphasised natives in many streets strengthens this sense of enclosure. The dwellings are constructed of a mix of materials and are contemporary and often colourful. All garages are located at the rear of the properties and are accessed via laneways. Front setbacks are planted with a mix of low level vegetation, and front fences are mostly low and open.

Statement of Preferred Neighbourhood Character

The sense of enclosure, mix of materials and garden settings of the dwellings should be retained and strengthened.
Objectives and Design Responses
The Preferred Neighbourhood Character is to be achieved by the following Objectives and Design Responses:

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of the dwellings.</td>
<td>Buildings should be sited and designed to incorporate space for the planting of vegetation, including canopy trees.</td>
</tr>
<tr>
<td>To maintain the use of front setbacks for garden space.</td>
<td>Locate garages and car parking structures at the rear of the site.</td>
</tr>
<tr>
<td></td>
<td>Provide vehicular access from a rear laneway if available.</td>
</tr>
<tr>
<td>To encourage innovative architecture.</td>
<td>New buildings should be individually designed to respond to the characteristics of the site and dominant building forms in the area.</td>
</tr>
<tr>
<td>To minimise the impact of buildings over two storeys on the streetscape.</td>
<td>Parts of buildings over two storeys should be recessed from the façade of lower levels.</td>
</tr>
</tbody>
</table>

Policy reference
Hobsons Bay Neighbourhood Character Study December 2002, Hobsons Bay City Council, Planisphere and John Curtis Pty Ltd, December 2002, including Neighbourhood Character Precinct Brochures: Hobsons Bay East Precincts 1 – 11.
Map 1. - The Hobsons Bay East Neighbourhood Character Precincts
OUTDOOR ADVERTISING SIGNAGE POLICY

This policy applies to the erection of outdoor advertising signage on all land within the City of Hobsons Bay.

Policy basis

The Municipal Strategic Statement identifies the need to ensure the form and amount of outdoor advertising is appropriate to the character of the area, the streetscape and the building on which it is located.

Outdoor advertising signs are a legitimate means of communication and promotion and well designed and located signage can be helpful and informative, while adding interest, colour and character to local streetscapes.

Conversely, too many signs or signs which are too large and inappropriate, can dominate and detract from the urban environment, particularly in heritage precincts and areas of special character such as the foreshore, gateway and main road locations. Poor quality or intrusive signage in or adjacent to a residential area can reduce the amenity of an area. Too many signs on a building or in an area can lose the effectiveness by competing with each other.

It is therefore important to ensure that outdoor advertising signage is not only effective in advertising a product or promoting a business, but also complementary to its setting, and to avoid excessive or inappropriate signage, particularly in sensitive locations.

Objectives

- To ensure that commercial businesses are able to display sufficient signage to adequately identify their premises and promote the business, the goods they sell or the services that they offer in an appropriate manner.

- To ensure signs do not detract from the character of a locality, building or site.

- To ensure signs do not visually dominate a particular locality either individually or as part of a group.

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

- To ensure signs respond to the architectural qualities of host buildings.

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

Application Requirements

- The following information should accompany an application for signage:
  - A description of the sign(s) and its purpose.
  - A statement of the impact that the proposed sign will have on the streetscape and amenity of the area.
  - Three copies of plans (one coloured and at least one A4 or A3 size), drawn to scale (1:100 or larger), showing the location of the proposed sign on the premises and the distance from property boundaries.
  - Three copies of an elevation or a streetscape perspective, showing the location of the proposed sign(s) from a standing persons view.
  - Details of the proposed sign(s) including the dimensions, colour, content and lettering style of the proposed sign(s), frequency of change.

- Where relevant, the location and size of any existing signage on the site, including details of the signs that are proposed to be removed or retained as part of the proposal.

- Where relevant, the structure of the sign and the method of support.
Policy

It is policy that the following matters be taken into account when considering applications for outdoor advertising.

22.11-4.1 General

Clutter

- Improve the legibility of signage, through the use of fewer, more effective signs to reduce and avoid visual advertising clutter.
- Avoid the use of bunting, flags and banners.
- Encourage the reduction in the number of signs to improve the impact and clarity of the message.
- Encourage multiple occupancies to share or co-locate signage.

Visual Impact

- On new buildings, signs should be designed as part of the architecture of the building or the landscaping of the site.
- Signs should contain simple messages and consistent logos and respect the visual environment.
- Signs must be consistent in style and colour where more than one business sign is proposed.
- Signage should not dominate the building to which it is fixed or the property which it is located.
- Signs should not obscure a building’s architectural form or features.
- Signs should only be large enough for effective identification of the business or promotions of goods, services, event or other matter.
- Signage should not obscure architectural features and detailing, windows and door openings or verandahs, particularly on buildings of identified heritage significance.
- Signage should not project above the skyline or roofline of a building.
- V-Signs will generally not be supported.
- Above verandah signs are encouraged to be painted directly on or fixed to the parapet structure, but should not extend above the parapet.
- Signs mounted on and within windows should:
  - Be restricted to the main windows at ground level.
  - Not dominate or obscure the windows.
  - Use no more than 20 per cent of the glass.
  - Not be painted on the external surface of the glass.
- Promotion signs mounted on trailers, utility vehicles or alternative vehicular or mobile structures that are parked in one location for an extended period of time (longer than 24 hours) for the purpose of advertising are not supported.
- Mobile animated signs used in association with commercial promotional purpose should not be used.
Creative signs

- Creative signage with the following characteristics may be appropriate in circumstances where other requirements of this policy are not met:
  - Related to historical, cultural or architectural themes found in the locality
  - A unique design and/or potential to become a local icon
  - Recreates a known earlier historic sign
  - Helps to reinforce or establish a theme or character of a particular neighbourhood or locality.

Safety

- Signage should be located not to interfere with the function of traffic signals or other traffic control devices or directional signage.
- Signs should not be located where they will create a distraction to passing traffic, obscure a motorist’s view of pedestrians and vice versa, or obscure views to nearby pedestrian and traffic signal facilities, or cause any safety risk.
- Signs should not be reflective or capable of dazzling or distracting motorists, cyclists or pedestrians.
- Signage should generally be contained within the property boundary.
- Internally illuminated under verandah signs should be no less than 2700mm from the ground.
- No signage, lighting device or associated structure should project beyond kerb line.

22.11-4.2 Signs in high amenity areas

High amenity areas include all areas in Category 3 of Clause 52.05 - all signs in residential zones are contained within Category 3. Refer to the zone provisions to determine which category of advertising control applies to other zones.

Home occupation and bed and breakfast signs

- Signs will generally be limited to one sign per premise or one per street boundary.
- Signs must respect the residential character of the area.
- Signs must be in scale with the building.
- Signs should not generally be internally illuminated or floodlit.
- Floodlighting for home occupation will only be permitted where it can be demonstrated that:
  - it is required for the operation of the occupation
  - the intensity of lighting is the minimum required to make the signs visible
  - the illumination does not disturb the amenity of the areas.
- Signs proposed to be lit outside the hours of operation of the business or activity advertised in the sign are generally not supported.
- Where lighting is required signs are to be floodlit rather than internally illuminated.
- Above-verandah signs are generally not supported.

Promotion signs

- Promotion signs in high amenity areas will generally not be supported.
Hotels, Convenience Restaurants, Shops, Take-Away Food Premises, Service Stations and Car washes

- Individual signs should be part of a comprehensive plan that nominates the business signs which identify the premises.
- Signage should not be cluttered or detract from the amenity of the area.
- Where more than one sign is proposed, the style and colours should be consistent.

Medical and Veterinary Centres

- Signs should only be large enough to identify the business to passing traffic in the street where the business is located.
- Signs should be limited to one sign close to each street boundary and one sign identifying the name of the practitioners adjacent to the entrance.
- Signs may be internally illuminated or floodlit.

22.11-4.3 Signs located within a Heritage Overlay.

- Signs should respect the period and style of the building to which they relate.
- Signs should use materials, fonts and paint colours relevant to the period of the building.
- Signs should not dominate a building or obscure its architectural form or features.
- Signs should be of a size that does not dominate the historic place or precinct.
- Signs should be placed in locations on the building that would have traditionally have been used as advertising areas.
- New signage should be capable of being removed without causing damage to the historic fabric of the place.
- Signs should not be painted in fluorescent or iridescent paint.

22.11-4.4 Signs in Activity Centres

Williamstown Shopping Centre and Newport Shopping Centre

- Signs should not be displayed on building side walls facing residential properties unless these walls contain display windows or customer doors to the premises.
- Signage plans should include the reinstatement of original facades, where possible.
- Upper level facades that are intact should not be significantly altered by signage.
- Signs should respect the period and style of the building with which they are associated.
- Signs should use materials, fonts and paint colours from the period of the building.
- Signs should be below the upper wall or parapet level if it projects from the wall.
- Signs should be limited to one under verandah painted, floodlit or internally illuminated sign per premises.
- Signs should be vertical rectangular, square or round, rather than horizontal rectangular sign.

Nelson Place Historic Restaurant and Entertainment Precinct, Williamstown

- Signs should not alter or obscure the architectural features of buildings that contribute to the heritage value of the area.
- Signs should be integrated into an overall plan for the treatment of the building façade and visible side walls.
- Surviving early historic signs including permanent letters cut into stone or in raised cement render, painted signs and sign panels often have intrinsic heritage significance and should be conserved. Repainting or restoration of the elements of historic signs should only be undertaken if the significance of the sign will not be affected.

- Signs should not project above the top of a wall.

- Signs should complement the signs on adjoining buildings.

- Signs should not exceed 6 square metres in advertising area, where displayed parallel to the front of the building.

- Signs should not exceed 3 square metres in advertising area, where displayed at right angles to the front of the building.

- Signs in heritage areas located above verandahs (or if no verandah more than 3.7 metres above pavement level):
  - Should be limited to one per premises.
  - Should not project horizontally from the building.
  - Should not project at right angles to the façade.
  - Should be vertical rectangular, square or round, rather than horizontal.
  - Should not be floodlit, internally illuminated, reflective or animated.

- Signs should not conflict with the lines and shapes of the visible external walls, or the silhouette of the building.

- Signs should use materials, fonts and paint colours relevant to the period of the building.

- Corporate images, including banks, fast food outlets and service stations, requiring specific colours and designs may need to be adapted to suit the individual location and the building to minimise the impact in heritage areas.

**Altona Beach Shopping Centre**

- Encourage signs where possible to reflect a seaside theme.

- Signs should not be located above verandahs.

- The number of internally illuminated signs below the verandah should be limited to one per building.

22.11-4.5 **Strip commercial centres**

- Internally illuminated signs and floodlit signs with a total advertising area greater than 1.5 square metres per premises should be part of an overall scheme of signage for the premises.

- Signs displayed on shop windows should generally not obscure the view into the premises.

- Signs should not generally be displayed on building side walls facing residential properties unless these walls contain display windows or customer doors to the premises.

- Signs should not project above the top of a wall or parapet of a building.

22.11-4.6 **Freestanding Shopping Centres**

- Advertising should be primarily directed to major access roads rather than side streets.

- Signs should generally be part of a scheme that includes all centre tenants and involves consistent characteristics (size, position on building etc.)

- Signs should not be located on or above the roof.
Pole signs should generally be limited to one per centre.

22.11-4.7 **Industrial areas**

- Premises should be identified by single illuminated pole or monument sign adjacent to the frontage.
- Signs on buildings should not exceed 15% of the host wall area.
- Signs on buildings facing residential areas, should not exceed 10 per cent of the wall area facing the residential areas.
- The total area of all advertising signs should not exceed 20 square metres per premise.
- Signs should generally be contained within the property boundary.
- Moveable signs will generally not be supported unless they are part of an overall plan for signage at a site approved by the Council.

**New Industrial Estates**

- Signage should be considered at the time subdivision is approved to ensure that signage is integrated into the streetscape and a thematic treatment of signage can be planned.
- New estates should include entrance signs displaying the name of the estate at entrance points to the estate.
- If the entrance signs include changeable sections for occupant names, these should be professionally prepared and finished in a consistent theme.

**Policy references**

*Hobsons Bay Advertising Signs Guidelines, 1999*

*Lettering and Signs on Buildings c1850-1900, National Trust of Australia*
GAMING

This policy applies to applications which require a permit to install an electronic gaming machine (EGM) or to use land for the purpose of a gaming premises.

Policy basis

Gambling is a legal activity, however EGM use is problematic for some members of the community. Problem gambling comprises of both economic and social costs. Cumulative impacts from EGMs in identified areas of disadvantage in Hobsons Bay and the western metropolitan region should be minimised.

The purpose of this policy is to provide guidance on the appropriate location, design and operation of EGMs and venues. The location, design and operation of EGMs and venues should seek to balance the positive and negative social and economic impacts of gaming, in order to maximise benefits to a community.

Objectives

- To ensure that the social and economic impact of the EGMs is not detrimental to the wellbeing of the community.
- To ensure that EGM venues are located, designed and operated in a manner that minimises opportunities for convenience gambling.
- To locate EGMs away from disadvantaged areas or vulnerable communities.
- To ensure gaming is not the primary use within a venue.
- To ensure proposals for gaming premises deliver a net community benefit in Hobsons Bay.

Policy

It is policy that applications for the use of the land for a gaming premises and the installation or use of a gaming machine are assessed against the following criteria:

Areas

Ensure that EGMs are located:

- Outside areas of relative socio-economic disadvantage. Socio-economic disadvantage is defined as households in the bottom two deciles (lowest 20 per cent) of the SEIFA (Socio-Economic Indexes for Areas) index of relative disadvantage, based on the Australian Bureau of Statistics, Statistical Area Level 1 (SA1) which is the smallest unit of Census data.

- Outside areas identified as Strategic Redevelopment Areas in the Hobsons Bay Industrial Land Management Strategy 2008.

Sites

Ensure that EGMs are located on sites:

- That minimise the likelihood of people passing the site during the course of their usual everyday activities.

Venues

Ensure that EGMs are located in venues:

- That provide a range of social, leisure and recreational activities, with gaming being only a component of these activities.

- That physically and visually separate the venue’s gaming activities from its non-gaming activities.
• That are designed to comply with best practice and the Victorian Commission for Gambling and Liquor Regulation’s Venue Manual.

• Where the design and operating hours will not detrimentally affect the amenity of the surrounding area.

EGMs should not be located in venues where:

• The gaming floor area is more than 25 percent of the total floor area.

• The venue may cause adverse amenity impacts on the adjoining land uses as a result of operating hours, traffic, noise, car parking and safety.

**22.12-4**

**Application requirements**

All applications must be accompanied by the following information to the satisfaction of the responsible authority:

• Detailed plans of the design and layout of the venue (including the location of all existing and proposed EGMs).

• Details of the venue’s existing and proposed hours of operation.

• A Social Impact Assessment prepared by a suitably qualified person, as per Council’s Social Impact Assessment Guidelines, including:
  - Details and analysis of the venue’s projected patron catchment and its socio-economic profile.
  - If it is proposed to move EGMs from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation as to why the EGMs are being transferred is to be provided.
  - Characteristics of the local area including the location of and distance to shopping complexes and strip shopping centres, community facilities, public housing, counselling services and public transport.

• Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within one kilometre of the venue.

• Details of existing and proposed distribution and density of EGMs in the municipality and its neighbourhoods.

• Details of existing gaming expenditure at the venue over a three year period prior to the application (if relevant).

• If EGMs are to be relocated from other venues, and as a result, gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of expenditure transfer has been calculated (including, but not limited to, comparison of per machine expenditure at the venue prior to, and anticipated expenditure after, the installation of additional machines).
  - The resulting impacts on the venue from where the expenditure is transferred.

• Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured for and distributed across the local community.

• Assessment of key social and economic issues and overall net community impact.

• Measures to mitigate any negative social and economic impacts from EGMs.

**22.12-5**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider as appropriate:
- Whether the proposal meets the objectives of this policy.
- Whether the proposal will result in a net social and economic benefit, aside from any community contribution scheme.
- Whether the proposal increases EGM densities in the area and how that increase affects the local community and compares with the metropolitan Melbourne average.
- Whether the proposal will result in EGMs clustering in the area and whether this is likely to increase the social disadvantage of the area.
- Whether the venue offers a range of non-gambling entertainment and recreation options.
- Whether the location, design and operation of the venue will facilitate convenience gambling.
- Whether the proposal will impact on the amenity of the area and surrounding land uses.

**Policy references**

_Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGM) Policy Statement 2015_

_Electronic Gaming Machines (EGMs) in Hobsons Bay Background Paper 2014_

_Hobsons Bay Preparing Social Impact Assessment – Applicant Guidelines 2011_
ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

This policy applies throughout Hobsons Bay to residential and non-residential development that require a planning permit in accordance with the thresholds in Table 1 of this Policy.

Policy basis

Hobsons Bay City Council promotes the concept of sustainability, the adoption of sustainable energy options, and environmental design practices. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design
- Reduction of costs over the life of the building
- Improved affordability over the longer term through reduced running costs
- Improved amenity and liveability
- More environmentally sustainable urban form
- Integrated water management

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of exemplary private projects and promotion of the use of materials with favourable life cycle impacts.

Objectives

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy, best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

It is a policy objective to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
- To reduce total operating greenhouse gas emissions.
To reduce energy peak demand through particular design measures (eg. appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

**Water resources**
- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (eg. greywater).

**Indoor environment quality**
- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation, and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxicity chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

**Stormwater management**
- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.
- To achieve best practice stormwater quality outcomes.
- To incorporate the use of water sensitive urban design, including stormwater re-use.

**Transport**
- To ensure that the built environment is designed to promote the use of walking, cycling and public transport, in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

**Waste management**
- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

**Urban ecology**
- To protect and enhance biodiversity within the municipality.
- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
To encourage the provision of space for productive gardens, particularly in larger residential developments.

**Policy basis**

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

**Application requirements**

An application must be accompanied by either a Sustainable Design Assessment (SDA) or a Sustainable Management Plan (SMP) as specified in Table 1, as appropriate.

A SDA will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative approach to the satisfaction of the responsible authority; and

- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site’s opportunities and constraints.

A SMP should:

- Provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and

- Identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and

- Demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site’s opportunities and constraints; and

- Document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

**Table 1 – ESD Application Requirements**

<table>
<thead>
<tr>
<th>Type of development</th>
<th>Application requirements</th>
<th>Example tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation /Mixed Use with residential component</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 2 - 9 dwellings; or</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS STORM</td>
</tr>
<tr>
<td>Development of a building for accommodation other than dwellings with a gross floor area of 50m² to 1000m².</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sustainability Management Plan (SMP)</td>
<td>BESS Green Star MUSIC STORM</td>
</tr>
<tr>
<td></td>
<td>Green Travel Plan (GTP)</td>
<td></td>
</tr>
<tr>
<td>- 10 or more dwellings; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of a building for accommodation other than dwellings with a gross floor area more than 1000m².</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of a non-residential building with a gross floor area of 100m² to 1000m²; or</td>
<td>Sustainable Design Assessment (SDA)</td>
<td>BESS MUSIC STORM</td>
</tr>
<tr>
<td>Alterations and additions of between 100m² and 1000m²</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Type of development** | **Application requirements** | **Example tools**
---|---|---
- Development of a non-residential building with a gross floor area more than 1000m²; or  
- Alterations and additions greater than 1000m² | Sustainability Management Plan (SMP)  
Green Travel Plan (GTP) | Green Star  
BESS  
MUSIC  
STORM

**Note 1:** Development (in Table 1) has the same meaning as in Section 3 of the Planning and Environment Act 1987, but does not include subdivision. To remove any doubt, development also includes alteration and additions. In the case of alterations and additions, the requirements of the Policy apply only to the alterations and additions.

**Note 2:** Mixed Use developments are required to provide the information applicable to each use component of the development.

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### Decision guidelines

In determining an application, the responsible authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.
- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise).

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### Reference documents

- **BESS (Built Environment Sustainability Scorecard)**  www.bess.net.au, Council Alliance for a Sustainable Built Environment (CASBE), 2015
- **Nationwide House Energy Rating Scheme (Nat HERS)**, Department of Climate Change and Energy Efficiency,  www.nathers.gov.au

**Note:** The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

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### Commencement

This policy does not apply to applications received by the responsible authority before the gazettal date of this clause.

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### Expiry

This policy will expire if it is superseded by a comparable provision in the Victoria Planning Provisions.
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
[NO CONTENT]
MIXED USE ZONE

Shown on the planning scheme map as MUZ with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

**Objectives**

A schedule to this zone may contain objectives to be achieved for the area.

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
</tbody>
</table>
Use

Extractive industry
Materials recycling
Transfer station

32.04-3
31/07/2018
VC148

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

* Construct or carry out works normal to a dwelling.
* Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
* Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### 32.04-6

#### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

#### Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

#### Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
An application for a planning permit lodged before the approval date of Amendment VC136.

An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

32.04-7

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.04-8

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-9

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

- 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.

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#### Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

---

#### Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ**.

HOBSONS BAY 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. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>1. Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>2. 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>1. 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>2. 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</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>
<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>
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.

Form of applications

Class of application

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.
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 basements, 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.

32.07-6
27/03/2017
VC110

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.07-7
26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-8
26/10/2018
VC152

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

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.

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.

430-436 BLACKSHELLS ROAD, ALTONA NORTH

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building
None specified.

3.0

Application requirements
None specified.

4.0

Decision guidelines
None specified.
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. 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. Must not require a permit under Clause 52.06-3. 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. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
| 3000 square metres.
| 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

Store
Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.

Take away food premises
The site must adjoin, or have access to, a road in a Road Zone.

Utility installation (other than Minor utility installation and Telecommunications facility)

Any other use not in Section 1 or 3

Section 3 – Prohibited

Use

Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

Subdivision

Permit requirement
A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
An approved precinct structure plan or an equivalent strategic plan;
An incorporated plan or approved development plan; or
A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></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>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
<tr>
<td>Clause 59.02</td>
<td></td>
</tr>
</tbody>
</table>
### Construction or extension of a dwelling or residential building

#### Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan;
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</td>
<td></td>
</tr>
</tbody>
</table>

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>

Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:

- 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.

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.

### 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.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

HOBSONS BAY GENERAL RESIDENTIAL AREAS

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

None specified

4.0

Application requirements

None specified

5.0

Decision guidelines

None specified
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2.

ALTONA, SEAHOLME, PART WILLLIAMSTOWN AND PART NEWPORT RESIDENTIAL AREAS

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

Yes - 500 square metres

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>
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<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

None specified

4.0

Application requirements

None specified

5.0

Decision guidelines

None specified
SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ3.

LAND AT 222-238 AND 240-258 KOROROIT CREEK ROAD, WILLIAMSTOWN NORTH

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>Maximum height 1.2 metres or maximum 1.8 metres with a minimum 75% transparency.</td>
</tr>
</tbody>
</table>

3.0 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.

4.0 Application requirements

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- A Social Impact Assessment (that considers affordable housing and how it will be provided within the proposed development to the satisfaction of the Responsible Authority) to support any development proposal. The SIA for 222-238 Kororoit Creek Road must address the loss of low cost accommodation.

- A traffic report that demonstrates the capacity to accommodate increased traffic flows from the proposed development.

- A vegetation assessment that identifies significant vegetation on the site and their potential habitat significance.

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:

Consideration of:
- Improved Housing Choices for Residents on Low Incomes (Affordable Housing) Policy Statement (8 February 2011, as amended from time to time)

- Preparing Social Impact Assessments Applicant Guidelines (22 March 2011, as amended from time to time).

- Whether increased traffic flows from the proposed development can be accommodated.

- Integration of the proposed development within the site and surrounding street network.

- Whether coastal hazards have been identified and will be appropriately managed to ensure that the proposed development is not at risk.
INDUSTRIAL ZONES
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>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>
<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>
</tbody>
</table>
| Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. | 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.  
  - 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. |
| Take away food premises                  | Must not be a purpose shown with a Note 1 or Note 2 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. |
| Tramway                                  | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Warehouse (other than Mail centre and Shipping container storage) | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. Must not adversely affect the amenity of the neighbourhood, including through the:  
  - Transport of materials, goods or commodities to or from the land.  
  - Appearance of any stored goods or materials.  
  - Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Any use listed in Clause 62.01           | Must meet the requirements of Clause 62.01. |
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use

Hospital
Intensive animal production
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

33.01-2
31/07/2018
VC148

Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**
A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**
An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
## SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-1

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
</tbody>
</table>
## Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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>Take away food premises</td>
</tr>
<tr>
<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>
<td></td>
</tr>
<tr>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- 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:</td>
<td></td>
</tr>
<tr>
<td>- Transport of materials, goods or commodities to or from the land.</td>
<td></td>
</tr>
<tr>
<td>- Appearance of any stored goods or materials.</td>
<td></td>
</tr>
<tr>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil</td>
<td></td>
</tr>
</tbody>
</table>

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 Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Industry (other than Service industry)</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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</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>
</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>
</tbody>
</table>
Class of application

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.

- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways and vehicle parking and loading areas.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.
### SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 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.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Education centre (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</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>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
</tbody>
</table>
Use

Major sports and recreation facility
Motor racing track

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<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, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.

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**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must be on land within the City of Greater Geelong or within an urban</td>
</tr>
<tr>
<td></td>
<td>growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to 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>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<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></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><strong>Accommodation (other than Caretaker’s house and Residential hotel)</strong></td>
</tr>
<tr>
<td><strong>Animal production (other than Grazing animal production)</strong></td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
</tr>
<tr>
<td><strong>Major sports and recreation facility</strong></td>
</tr>
<tr>
<td><strong>Motor racing track</strong></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, 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>
</tbody>
</table>
Information requirements and decision guidelines

Class of application

- The area of either lot is reduced by less than 15 percent.
- The general direction of the common boundary does not change.

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application

Construct a building or construct or carry out works with an estimated cost of up to $500,000 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.
<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
• A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

### Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

#### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.
• The interface with adjoining zones, especially the relationship with residential areas.

#### Use

• The effect that existing uses may have on the proposed use.
• The drainage of the land.
• The availability of and connection to services.
• The effect of traffic to be generated on roads.
• The interim use of those parts of the land not required for the proposed use.
• If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

#### Subdivision

• The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
• Any natural or cultural values on or near the land.
• Streetscape character.
• Landscape treatment.

#### Building and works

• The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
• The provision of car parking.
• The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
• Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
• The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
PUBLIC USE ZONE

Shown on the planning scheme map as **PUZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

**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>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scienceworks Museum, 1</td>
<td></td>
</tr>
<tr>
<td>2-18, Booker Street, Spotswood</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 Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td></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></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.
36.02-4
Exemption from notice and review
An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.02-5
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.

36.02-6
Incorporated plan
An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.02-7
Use and development of land identified in a schedule
Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.02-8
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>Point Gellibrand Coastal Heritage Park.</td>
<td>Any use or development described in the Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003.</td>
<td>Must be in accordance with the Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

To provide for appropriate resource based uses.

### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 2011.</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td>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>
<tr>
<td>Any use listed in Clause 62.01 (other than Apiculture)</td>
<td>Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>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>Emergency services facility</td>
<td>Must not be located on land reserved under the National Parks Act 1975.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the National Parks Act 1975. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

**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>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

---

### Table of uses

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

---

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL PURPOSE ZONES
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>
</tbody>
</table>

Any other use not in Section 1 or 3 of the schedule to this zone

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

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</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</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>the Building Regulations in relation to the buildings within 5 years prior to the</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme</td>
<td></td>
</tr>
<tr>
<td>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.
37.01-5  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.

PRIVATE SPORTSGROUNDS & COMMUNITY ESTABLISHMENTS

Purpose
To provide for areas in private ownership to be used as private sports grounds and/or religious and educational establishments.

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>Education centre</td>
<td>Must not be at 23-31 Blenheim Road Newport</td>
</tr>
<tr>
<td>Home occupation</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 sports and recreation facility</td>
<td>Must not be at 23-31 Blenheim Road Newport</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Rail</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaining or bulk sampling.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td>Must not be at 272-298 Millers Road, Altona North or 23-31 Blenheim Road, Newport</td>
</tr>
<tr>
<td>Retirement village</td>
<td>Must not be at 23-31 Blenheim Road, Newport</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
Any other use not in sections 1 or 3 of the schedule to this zone.

**Section 3 - Prohibited**

**Use**

- Accommodation (other than Caretakers house, Residential building and Retirement village)
- Amusement parlour
- Brothel
- Cemetery
- Crematorium
- Extractive industry
- Industry (other than Car wash)
- Intensive animal husbandry
- Motor racing track
- Office with a floor area exceeding 500 sq m (other than a Medical centre)
- Saleyard
- Service station
- Retail premises (other than Community market, Convenience restaurant, Restaurant and Plant nursery)
- Transport terminal
- Utility installation (other than Minor utility installation)
- Warehouse (other than Store)

**2.0 19/01/2006 VC37**

**Subdivision**

**Exemptions**

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 appeal rights of Section 82(1) of the Act.

**3.0 19/01/2006 VC37**

**Buildings and works**

**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.

**Exemptions**

An application to construct a building or construct or carry out works for a use in Section 1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.
- The provision of landscaping.
- Parking and site access.
SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2

PETROLEUM REFINERY AREA

Purpose
To provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.
To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the refinery.

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>Car park</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must be a petroleum refinery in accordance with Clause 2.0 of this schedule.</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 costeaming or bulk sampling</td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping</td>
<td>Must meet the requirements listed in the Code of Practice for the Welfare of Horses</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dry cleaner</td>
<td></td>
</tr>
</tbody>
</table>
Use

Laundromat

Rural industry

Any use not in Section 1 or 2

Use of land

For the purpose of this schedule a petroleum refinery is defined as an industry using plant, equipment and facilities for the conversion of crude oil and other feed stocks into finished and intermediate petroleum products and by-products. This includes facilities for the receipt of crude oil and other feed stocks, facilities for the storage of crude oils, intermediate and finished products and by-products, pumping, pipeline and distribution facilities, units for the removal and control of impurities and by-products, waste treatment facilities, utilities including steam raising and electrical generating equipment, control rooms, laboratories, research facilities, administration, warehousing, maintenance, training and amenity buildings and facilities and other associated works.

Land may be used as a petroleum refinery provided that the land south of Kororoit Creek Road and to the west of the 3 metre contour (Australian Height Datum) is maintained as a conservation area to the satisfaction of the responsible authority.

The use of the land for a petroleum refinery is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

Application requirements

An application to use land 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 licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
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**

**Exemptions**

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 appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

**Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Whether the development would prejudice the continued operation of the petroleum refinery.

**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:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

**Application requirements**

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. The layout is to include landscape buffers along Millers Road and Kororoit Creek Road frontages and all other boundaries of the refinery.

The type of use and the process to be employed.

Dust control, drainage and maintenance of areas not required for immediate use.

The type and quantity of goods to be stored and whether a licence is required under the Dangerous Goods Act 1985.

**Exemptions**

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

**Decision guidelines**

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The views of the Environment Protection Authority, the Department of Natural Resources and Environment and the Minister administering the Dangerous Goods Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Drainage of the land
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act about any proposed development within the flood plain of the Kororoit Creek.
- Availability of services.
- Effect of traffic on surrounding roads.
- Layout of the site and design of buildings including methods of minimising the visual impact of the refinery on:
  - nearby residential areas.
  - Kororoit Creek Road.
- Millers Road.
- Kororoit Creek.
- Altona Coastal Park.
- Cherry Lake.

- Layout of the site and design of buildings including:
  - The relationship of the buildings and works to the street and adjoining properties.
  - The set backs from Millers Road and Kororoit Creek Road.

- Access and egress, car parking, access roads and loading bay layout.

### 5.0

**Advertising signs**

This zone is in Category 2.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ3**.

PETROCHEMICAL COMPLEX AREA

**Purpose**

To provide for the operation and expansion of the petrochemical industry in a manner that does not affect the safety and amenity of nearby areas.

To provide for the minimisation of exposure to risk to health or life of persons working in or visiting the area.

To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the petrochemical complex.

**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>Car park</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must be a petrochemical industry in accordance with Clause 2.0 of this schedule.</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 costeaming or bulk sampling</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Research centre</td>
<td></td>
</tr>
</tbody>
</table>
## Use of land

For the purpose of this schedule, a petrochemical industry is an industry that includes processes for the use, manufacture and storage of:

- Olefins or petrochemical aromatics;
- Methane;
- Chemicals or products wholly or partially derived from petroleum based feed stocks; or
- Other products associated with an industry which existed at the approval date.

The use of the land for a petrochemical industry is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

### Application requirements

An application to use land 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 licence under the Dangerous Goods Act 1985 is required.
- The likely effects 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 to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

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.

Whether the use would prejudice the continued operation and expansion of the Altona petrochemical industry.


### 3.0 Subdivision

#### Exemptions
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 appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

#### Decision guidelines
Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

### 4.0 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:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of existing car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Are used for extensive animal husbandry or informal outdoor recreation.

Other exemptions are listed in Clause 62.01

**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.

**Layout guidelines**

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

All buildings are to be set back at least:

- 20 metres from a road in a Road Zone, Category 1.
- 20 metres from a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 9 metres from a boundary to any other road.

All works (except vehicle and pedestrian access ways and landscape works) are to be set back at least 9 metres from any road.

Landscape areas are to be provided at least:

- 9 metres wide along a boundary to any road.
- 9 metres wide along a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.

Landscape areas are to be provided generally:

- within 30 metres of the Geelong-Melbourne railway (except for areas already developed for works at the approval date).
- within 50 metres of the boundary of the Special Use Zone 4 (except for areas already developed for works at the approval date).
- within 60 metres of the banks of Cherrys Creek and Kayes Drain.
A fence, sign, the accommodation of vehicles, spur lines to railway sidings, road works and associated street furniture, drainage, water oil and gas mains, and electricity and telephone lines may be located in these areas.

Exemptions
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 appeal rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines
Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone.
- Landscape treatment.
- The visual impact as viewed from nearby residential zones.
- The layout of the site and the design of buildings.
- Parking and site access.
- Loading and service areas.
- Stormwater discharge.
- The views of the Environment Protection Authority
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Availability of services.
- Effect of traffic on surrounding roads.

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Advertising signs
This zone is in Category 2.
**SCHEDULE 4 TO THE SPECIAL USE ZONE**

Shown on the planning scheme map as SUZ4.

**ALTONA SPECIAL INDUSTRIAL AREA**

**Purpose**

To provide for a range of industrial uses and services that do not prejudice the operation and expansion of the petrochemical industry.

To provide for the minimisation of exposure to risk to health or life of persons working in or visiting the area.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

To provide for a high standard of building design and landscaping to reflect the prominent location and high visual profile 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>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:</td>
</tr>
<tr>
<td></td>
<td>- The air emission buffer, for a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table at Clause 52.10.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</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 costeaming or bulk sampling.</td>
</tr>
</tbody>
</table>
### ConditionUse

**Service station**  
The land must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

**Tramway**

**Warehouse (other than Mail centre)**  
Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.

The land must be at least the following distances from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school:

- The air emission buffer, for a purpose listed in the table to Clause 52.10.
- 30 metres, for a purpose not listed in the table at Clause 52.10.

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex bookshop</td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td>Must be in one occupation with a leasable floor area of at least 500 square metres.</td>
</tr>
<tr>
<td>Lighting shop</td>
<td>Must be in one occupation with a leasable floor area of at least 500 square metres.</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 Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises (other than Equestrian supplies, Lighting shop, and Party supplies)</td>
<td>Must be in one occupation with a leasable floor area of at least 1000 square metres.</td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Utility installation (other than Minor utility installation)</strong> Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.</td>
</tr>
</tbody>
</table>

### Any other use not in Section 1 or 3

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Caretaker's house)</strong></td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
</tr>
<tr>
<td><strong>Intensive animal husbandry</strong></td>
</tr>
<tr>
<td><strong>Shop (other than Adult sex bookshop, Convenience shop, and Restricted retail premises)</strong></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.

#### Use of unserviced subdivision, Merton Street
Land bounded by Merton Street, Harcourt Road, Danglow Avenue and Government Road, must not be used or developed for any purpose other than agriculture unless the land:

- is connected to a reticulated water supply, a reticulated sewerage system and a reticulated drainage system to the satisfaction of the responsible authority and the relevant water supply, sewerage and drainage authority; and
- is comprised of a lot of at least two hectares.

#### 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 licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
- Noise levels.
- Air-borne emissions.
- Emissions to land or water.
- Traffic, including the hours of delivery and despatch.
- Light spill or glare.

**Decision guidelines**

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of the Department of Natural Resources and Environment about any proposal to use land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

**Subdivision**

**Exemptions**

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 appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

**Decision guidelines**

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The protection of the natural features of the area, including grass lands, wetlands and areas of significant habitat on/or adjacent to the area.
- The views of the Department of Natural Resources and Environment about any proposal to subdivide land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

**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, renew or maintain plant if the area or height of the plant is not increased.
- 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.
- Are used for crop raising, extensive animal husbandry or informal outdoor recreation.

**Maximum site cover and plot ratio requirement**

The coverage of buildings on each site must not exceed 60 percent of the site area. The ratio of floor area to site area must not exceed 0.6:1.

For land with a boundary with a residential zone the coverage of buildings on each site must not exceed 47 percent of the site area and the ratio of floor area to site area must not exceed 0.47:1.

**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.

**Layout guidelines**

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

All buildings are to be set back at least:

- 20 metres from a road in a Road Zone, Category 1.
- 20 metres from a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 20 metres from a boundary to a Public Conservation and Resource Zone containing native grass land.
  The setback may accommodate car parking areas, roads and services provided it is demonstrated that the siting and design of buildings could achieve adequate landscaped screening and minimise overshadowing of the grass land.
- 9 metres from a boundary to any other road.

Landscape areas are to be provided as follows:

- 9 metres wide along a boundary to any road.
- 9 metres wide along a boundary to any Public Acquisition Overlay if the purpose of the acquisition is a road.
- 4 metres wide along the boundary to a Public Conservation and Resource Zone containing native grass land.
  This area should be exclusively for landscaping and comprise small shrubs, grasses and ground covers (from the list recommended by the Department of Natural Resources and Environment and indigenous to the area) to minimise overshadowing of the grass land.
- within 10 metres of the Geelong-Melbourne railway and the Laverton-Altona railway.
- within 100 metres of the bank of Kororoit Creek.
- within 50 metres of a boundary of the Public Use Zone containing Cherry Lake and the Truganina Swamp.
- within 60 metres of the banks of Cherrys Creek and Kayes Drain the combination of buildings, works and landscaping should complement the watercourses to achieve the net landscape effect appropriate to the site, to the scope of development and to the precinct and to achieve a high quality design result.
- 30 metres wide along the boundary to any residential zone.
- for land with a boundary with a residential zone at least 30 percent of each site is to be developed as a landscape amenity area which may contain car parking areas, spur lines to railway sidings, roads and services provided they are adequately screened from adjoining land.

**Exemptions**

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 appeal rights of Section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The impact of surface water run-off on to adjoining land containing native grass land.
- Whether measures to protect the health and safety of persons on the land or on land nearby.
- Whether the development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- Whether the development presents an attractive landscaped setting particularly in relation to the treatment of street frontages.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of Melbourne Water Corporation about any proposal for buildings or works within 20 metres of Cherrys Creek or Kayes Drain.
- The views of the Department of Natural Resources and Environment about any proposal for buildings or works on land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0

Employee population density guideline

Permit requirement

Employee density is controlled by reference to the map entitled Altona Employee Population Density Controls. For the purpose of this Clause, one employee is equivalent to a person spending 44 hours on the site in any week.

A permit is required for the use of land designated on the map with a PD description unless the minimum floor area per employee as set out opposite that description in the following table is met.
A permit is required for the use of land designated on the map with a PD description unless the number of persons employed on the land (calculated on a lot by lot basis) does not exceed that calculated using the ratios in the following table.

<table>
<thead>
<tr>
<th>PD Description</th>
<th>Minimum Floor Area Required Per Employee</th>
<th>Maximum Number Of Employees Per Hectare</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD 10</td>
<td>315 m²</td>
<td>19</td>
</tr>
<tr>
<td>PD 30</td>
<td>105 m²</td>
<td>57</td>
</tr>
</tbody>
</table>

Application requirements

An application to use land under this clause must be accompanied by the following information, as appropriate:

- The number of persons to be employed on the site.
- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and dispatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- Any measures to protect the health and safety of persons on the land or on land nearby.
- Whether the use or development would prejudice the continued operation and expansion of the Altona petrochemical industry.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.

**6.0**

**Advertising signs**

This zone is in Category 2.
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

MARINE ENGINEERING AREA

Purpose
To recognise the importance of the Port of Melbourne and its environs as a focus for major marine industrial development.

To support the special importance of shipbuilding operations and its contribution to State economic development and employment.

To provide for development which protects the amenity, safety and character of nearby areas.

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>Car park</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry or Motor repairs)</td>
<td>Must be located on land north of Nelson Place and Nelson Place Extension</td>
</tr>
<tr>
<td>Marine engineering</td>
<td>Must be Marine engineering in accordance with the definition included at Clause 2.0</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>Office (other than Bank)</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling</td>
</tr>
<tr>
<td>Warehouse (other than Fuel depot or Milk depot)</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any 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 Group accommodation or Caretaker’s house)</td>
</tr>
<tr>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Bank</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cabaret</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Fuel depot</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Market</td>
</tr>
<tr>
<td>Milk depot</td>
</tr>
<tr>
<td>Motor repairs</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Manufacturing sales</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Place of worship</td>
</tr>
<tr>
<td>Primary produce sales</td>
</tr>
<tr>
<td>Restaurant</td>
</tr>
<tr>
<td>Rural industry</td>
</tr>
<tr>
<td>Shop</td>
</tr>
<tr>
<td>Trade supplies</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
</tbody>
</table>

#### Definition of terms

For the purpose of this schedule, marine engineering includes ship building, ship repair and maintenance; oil and gas construction; fabrication, electrical and other trades; systems engineering; systems operation; integrated logistics; engineering design; training and education and associated accommodation; research and new technologies; supply and warehousing and ancillary activities.
3.0

Use of land

Application requirements
An application to use 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 licence under the Dangerous Goods Act 1985 is required.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application to use land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- 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.

4.0

Subdivision

Permit requirement
A permit is required to subdivide land.
The responsible authority may consider the views and comments of the relevant municipal council.

Exemptions
An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Decision guidelines

Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Physical Framework Plan

A permit is not required for buildings and works which are constructed generally in accordance with a Physical Framework Plan prepared to the satisfaction of the responsible authority. The Plan may be prepared and approved in stages to the satisfaction of the responsible authority. Prior to the approval of the Physical Framework Plan, or any stage, the responsible authority may consent to the construction of buildings and works, and advertising signs. The Physical Framework Plan may be amended to the satisfaction of the responsible authority.

Preparation of the Physical Framework Plan

The Physical Framework Plan must show:

- the location of all existing buildings, driveways, carparking and loading areas
- the boundaries and dimensions of the subject land
- any adjoining roads
- relevant ground levels
- the location, height, dimensions, floor area and elevations, materials and colours of any proposed buildings and works
- details of construction and location of any proposed driveways, carparking and loading areas
- any proposed landscaping areas
- any proposed external waste storage treatment areas
- any proposed advertising signs
- any necessary traffic management, traffic control and road works proposed

Development Plan

The responsible authority may consent to the construction of buildings and works which are not generally in accordance with the Physical Framework Plan for uses contained in Section 1 of the Table of Uses to this schedule. No such buildings and works may be constructed until a Development Plan of the proposed buildings and works has been prepared to the satisfaction of the responsible authority.

Preparation of a development plan

The Development Plan must include the details required for the Physical Framework Plan and must be accompanied by the following:
Information regarding any noise likely to be generated

Information regarding any additional traffic likely to be generated

Information regarding the extent to which and the reasons why the proposal is not generally in accordance with the Physical Framework Plan.

### Decision Guidelines

In considering the Physical Framework Plan or the Development Plan or an application to construct a building or construct and carry out works the responsible authority must consider:

- whether the proposals will adversely effect the amenity of persons living in surrounding residential zones
- whether the buildings and works will be in keeping with the character and appearance of the area
- the effect of any additional traffic to be generated
- whether the proposal is in accordance with the purpose of the zone
- any likely effect of noise emissions
- provision of carparking and loading areas
- any design guidelines adopted by the responsible authority.

When considering the Development Plan or an application to construct a building or construct or carry out works the responsible authority must also consider:

- the extent of departure from the Physical Framework Plan
- the effect of the departure from the Physical Framework Plan
- the degree of impact of the proposal on the surrounding area
- the views of the relevant municipal council.

The responsible authority may also consider the comments of the Environment Protection Authority, Business Victoria, Heritage Victoria, Department of Natural Resources and Environment, Parks Victoria, the Melbourne Port Corporation and the City of Hobsons Bay.

### Exempt Buildings and Works

The requirements of Clause 5.1, 5.2, 5.3 of this schedule do not apply to:

- the alteration of plumbing, electrical, sewerage, drainage, water, gas, power telecommunications, lighting and security services
- roadworks and drainage
- repairs and routine maintenance
- internal buildings works
- temporary structures and supports required during construction of other buildings and works
- the rearrangement of carparking if the number of vehicle spaces is not diminished
- the rearrangement, renewal, repair and maintenance of plant provided that the area of plant external to the existing buildings is not increased
- a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, carparking, loading or landscaping areas
- any works carried out by a public authority or municipal council in association with the development of new plant or buildings
any buildings or works required to be modified in conformity with license conditions under the Dangerous Goods Act or an Environment Protection Authority License, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970

- a Minor utility installation
- any works required to be carried out for fire protection
- site preparation works and decontamination and rehabilitation works
- dredging works undertaken by or under the authority of the relevant port authority to maintain navigable depths in existing channels, waterways and harbours to ensure continued access to facilities
- works lawfully undertaken by or on behalf of port authorities for the maintenance or repair or removal of any navigation aids or open framed marine structures
- any other buildings or works of a minor nature with the prior consent of the responsible authority.

### Advertising signs

This zone is in Category 2.
SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

BROOKLYN TERMINAL SUBSTATION

Purpose

To provide for the continued use and development of the land as a utility installation whilst minimising amenity impacts on the surrounding area.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Telecommunications facility)</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>Store</td>
<td>Must be in conjunction with a utility installation.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must be in conjunction with a utility installation.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

Use of land

Use of land as a utility installation must comply with National Health & Medical Research Council (NHMRC) interim guidelines (1989) and the Australian Radiation Protection & Nuclear Safety Agency (ARPANSA) standards (or any subsequent update by these agencies).

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.

Subdivision

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The objectives, requirements and guidelines of the Altona North Comprehensive Development Plan August 2018.

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:
- To rearrange, alter or renew plant if the area or height of the plant is not increased.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.
- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works, including any proposed screening to buildings.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Altona North Comprehensive Development Plan August 2018*.
- The interface with adjoining areas, especially the relationship with residential areas. This includes the overall arrangement and form of buildings and works and landscaping along residential boundaries.
- The design and elevation treatment of buildings and works including detailing. This includes opportunities to provide screening to buildings.

**Signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

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 for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<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>
</tbody>
</table>
Class of subdivision | Objectives and standards to be met
--- | ---
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- 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**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- 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 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1.

THE RANGE ESTATE WILLIAMSTOWN – STAGE 7

Land

Land located on the south side of Kororoit Creek Road between Jawbone Reserve and Caspian Terrace, Williamstown being Stages 1-3 Plan of Subdivision PS426080A, commonly referred to as 111-113, 115-119 and 121-129 Kororoit Creek Road Williamstown.

Purpose

- To provide for the comprehensively planned development of the land in a way that integrates residential, recreational and limited commercial land uses and development having consideration to the surrounding natural and built environments and land uses.
- To ensure that the combination of uses, their scale and design are compatible with the amenity of the surrounding land uses.
- To provide for a diverse range of dwellings and medium density housing types, and permanent and temporary accommodation uses in an attractive and comprehensively planned environment generally consistent with the Objectives of Clause 54, Clause 55 and Clause 56.
- To provide for a limited range of commercial activities including a combined restaurant and function centre, medical centre, and convenience shop.
- To achieve a high standard of architecture and urban design.
- To achieve an urban design character which promotes a visual gateway into Williamstown from the west.
- To create an attractive waterfront development.
- To enhance and extend public access, which includes effective and safe pedestrian access between Kororoit Creek Road and the adjoining Jawbone Reserve, and to promote passive recreation along Jawbone Reserve through the development of a waterfront boardwalk and connection to the Bay Trail.
- To retain view corridors of Jawbone Reserve from the north side of the Kororoit Creek Road through Caspian Terrace and through the development on the land.
- To assist in protecting and enhancing the adjoining Jawbone Reserve as an environmental, conservation and recreation asset of State, regional and local significance, through sensitive design and landscaping.
- To ensure safe and effective vehicular access and to maximise opportunities for the provision of off street parking, and the provision of adequate loading facilities.
- To ensure the land is developed in an orderly and comprehensive manner.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping</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 residences.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Must be in conjunction with another accommodation use, function centre use or restaurant use in Section 1</td>
</tr>
<tr>
<td>Convenience Shop</td>
<td>Must not include more than one convenience shop and the leasable floor area must not exceed 80 square metres</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>Dwellings (other than Bed and Breakfast and Caretaker’s house)</td>
<td>The use must be located in Precincts 1 and 4 (identified as “Medium density housing”) on the Concept Plan</td>
</tr>
<tr>
<td></td>
<td>Buildings in Precinct 1 on the land associated with the use must not exceed a maximum overall building height of two storeys and 9 metres above ground level</td>
</tr>
<tr>
<td></td>
<td>No more than 9 dwellings in Precinct 1</td>
</tr>
<tr>
<td></td>
<td>Any other buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline</td>
</tr>
<tr>
<td></td>
<td>Car parking must be provided to the satisfaction of the responsible authority</td>
</tr>
<tr>
<td></td>
<td>The use must not be located in Precinct 2</td>
</tr>
<tr>
<td>Function Centre</td>
<td>The use must be located in Precinct 3B (identified as “Restaurant/ Function Centre” on the Concept Plan)</td>
</tr>
<tr>
<td></td>
<td>Must be used as part of the same building which is used for a restaurant use</td>
</tr>
<tr>
<td></td>
<td>Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline</td>
</tr>
<tr>
<td></td>
<td>Number: not more than 220 patrons or seats available to the public in combination with the restaurant use, except with a permit.</td>
</tr>
<tr>
<td></td>
<td>Car spaces: at least 0.5 spaces per seat</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>Must not be a sewerage treatment plant</td>
</tr>
<tr>
<td>Motel</td>
<td>The use must be located in Precinct 2 (identified as “Existing Quest Apartments” on the Concept Plan)</td>
</tr>
<tr>
<td></td>
<td>Number: not more than 62 motel units in Precinct 2 on the Concept Plan used only to accommodate persons away from their normal place of residence</td>
</tr>
<tr>
<td></td>
<td>Maximum overall floor space: not more than 8000sqm in Precinct 2 on the Concept Plan</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>Restaurant</td>
<td>The use must be located in Precinct 3B (identified as “Restaurant/Function Centre” on the Concept Plan)</td>
</tr>
<tr>
<td></td>
<td>Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline</td>
</tr>
<tr>
<td></td>
<td>Number: not more than 220 patrons or seats available to the public in combination with the function centre use, except with a permit</td>
</tr>
<tr>
<td></td>
<td>Car spaces: at least 0.5 spaces per seat</td>
</tr>
<tr>
<td></td>
<td>Entertainment must be ancillary to the use</td>
</tr>
<tr>
<td>Retirement Village</td>
<td>The use must be located in Precinct 3A (identified as “Retirement Village” on the Concept Plan)</td>
</tr>
<tr>
<td></td>
<td>Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline</td>
</tr>
<tr>
<td></td>
<td>No more that 16 apartments except with a permit</td>
</tr>
<tr>
<td></td>
<td>Car parking must be provided to the satisfaction of the responsible authority</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>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Display home</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>If the use is located within Precinct 3A on the Concept Plan</td>
</tr>
<tr>
<td></td>
<td>Buildings in Precinct 3A on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline</td>
</tr>
<tr>
<td></td>
<td>Car parking must be provided to the satisfaction of the responsible authority</td>
</tr>
<tr>
<td></td>
<td>The use must not be located in Precinct 2</td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Medical Centre</td>
<td></td>
</tr>
</tbody>
</table>
## Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone or soil extraction</td>
<td>If the use is located within Precinct 3A on the Concept Plan</td>
</tr>
<tr>
<td>(other than Extractive Industry,</td>
<td>- Buildings in Precinct 3A associated with the use must not exceed a maximum overall building height of 3 storeys and RL14.0 AHD to the ridgeline.</td>
</tr>
<tr>
<td>Mineral Exploration, Mining and</td>
<td>- Car spaces: 1 car space per motel unit</td>
</tr>
<tr>
<td>Search for stone)</td>
<td>- The motel units must not provide permanent residential accommodation.</td>
</tr>
<tr>
<td>Minor Sports and Recreation Facility</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
<td></td>
</tr>
<tr>
<td>Residential Village</td>
<td>If the use is located in Precinct 4 on the Concept Plan.</td>
</tr>
<tr>
<td></td>
<td>- Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</td>
</tr>
<tr>
<td></td>
<td>- Car parking must be provided to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td></td>
<td>- The use must not be located in Precinct 1 on the Concept Plan.</td>
</tr>
<tr>
<td>Restricted Recreation Facility</td>
<td>The Restricted Recreation Facility must be located within Precinct 3A.</td>
</tr>
<tr>
<td>Retirement Village</td>
<td>If the use is located in Precinct 4 on the Concept Plan.</td>
</tr>
<tr>
<td></td>
<td>- Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline.</td>
</tr>
<tr>
<td></td>
<td>- Car parking must be provided to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td>Shop</td>
<td>The shop use must be a pharmacy associated with a Medical Centre and must be located within Precinct 3A.</td>
</tr>
<tr>
<td>Utility Installation</td>
<td></td>
</tr>
</tbody>
</table>

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Section 1 use - if the Section 1 condition is not met unless the use is separately included in Section 2</td>
<td></td>
</tr>
<tr>
<td>Any use in Section 2 where the condition is not met</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
<td></td>
</tr>
</tbody>
</table>
Concept

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) shows the general location of the various uses, the indicative road and waterfront frontages and the indicative arrangement of land uses for two detached vacant parcels of land, separated by land currently used for temporary accommodation purposes.

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) divides the land into five distinctive precincts, the preferred location and future use / development of which are as follows:

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Location</th>
<th>Use/ Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>North Eastern corner</td>
<td>Medium density housing</td>
</tr>
<tr>
<td>2</td>
<td>Eastern</td>
<td>Motel (existing 'Quest' serviced apartments)</td>
</tr>
<tr>
<td>3A</td>
<td>North Central</td>
<td>Retirement Village and Restaurant car parking</td>
</tr>
<tr>
<td>3B</td>
<td>South Central</td>
<td>Restaurant and Function Centre</td>
</tr>
<tr>
<td>4</td>
<td>Western</td>
<td>Medium density housing</td>
</tr>
</tbody>
</table>

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) describes the vision for the subject land and includes design objectives for its development, which includes a range of permanent and temporary residential uses, and limited commercial activities including a restaurant/ function centre and a local level convenience shop.

The responsible authority may approve minor modifications or changes to the Concept Plan- The Range Estate Stage 7 Concept Plan, (prepared by Stonehenge Creative Services P/L dated 14 September 2005) if it is generally satisfied that any changes to the Concept Plan will not result in a significant change to the vision of the proposed development on the land.

Use of Land

The use of the land must be generally in accordance with the Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The use of the land must not adversely affect the amenity of the area through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit or oil.

Use of land in Precinct 3A

The preferred use of land in Precinct 3A is a retirement village.

The alternative use of land may be, in order of preference:

- Motel; or
- Dwelling/ medium density dwelling.

The applicant must submit reasonable justification to support an alternative use of the land if inconsistent with the preferred use.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
The extent to which the proposed use is consistent with the objectives as set out in the purpose of the zone.

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The effect the use may have on nearby existing or proposed residential areas and other sensitive uses.

The reasonable justification of an alternative use in Precinct 3A.

Subdivision

A permit is required to subdivide land.

Subdivision prior to the approval of a Development Plan

Prior to the approval of a development plan, a permit may only be issued for an enabling subdivision creating precincts corresponding to the precinct lots shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) subject to:

- Arrangements being made as appropriate and to the satisfaction of the responsible authority for the provision of access, utility services, car parking, common property, reserves and easements for each precinct.
- Each precinct, in its entirety, being under the control of one developer group.

Further subdivision of a precinct

A permit may be issued for the further subdivision of a precinct subject to the following and to the satisfaction of the responsible authority:

- A development plan having been approved for the development of the precinct;
- The precinct being under the control of and developed by one developer group;
- Prior to the certification of the plan of subdivision buildings and works on the land having commenced; and
- Prior to the issue of a statement of compliance all subdivision and associated works as required in the permit are completed or a surety is provided to secure their completion.

In the event the owner requests certification of the plan of subdivision prior to the commencement of buildings and works, the responsible authority may at its option enter in an agreement with the owner under Section 173 of the Act to ensure the development of the land is undertaken in accordance with an approved development plan.

Subdivision of each precinct may occur in stages.

Application requirements

An application to subdivide land must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The proposed lots and areas of subdivision, including any areas of common property.
- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
  - Groundwater and drainage.
- Soil disturbance, erosion and sedimentation.
- Public safety.
- Vegetation and habitat.

Where subdivision occurs prior to any dwelling use and development a written submission responding to each objective and standard of Clause 56- Residential Subdivision.

**Decision Guidelines**

Before deciding on an application to subdivide land, in addition to the decision guidelines of Clause 65, the responsible authority must consider as appropriate:

- The intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The urban design objectives prepared in accordance with a development plan.
- Any natural or environmental values on or near the land.
- Any comments of the Vic Roads or other referral authority, including the Department of Sustainability and Environment.
- The Environmental Management Plan submitted in accordance with the application of this Clause.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Whether the plan of subdivision provides for public access through the site along the lakefront boardwalk and pedestrian access ways.
- Compliance with the objectives of Clause 56.
- Whether a development plan has been approved.
- Whether the subdivision of the land integrates with the future development of the land.

**Buildings and Works**

A permit is required to construct a building or construct or carry out works. Buildings and works must be constructed in accordance with a development plan, landscaping plan, open space management plan, traffic plan, environmental management plan, waste management plan and storm water management plan prepared to the satisfaction of the responsible authority prior to the commencement of any works.

**Development Plan**

No building or works may be constructed until a development plan for the development of land in the zone has been prepared to the satisfaction of and approved by the responsible authority. A development plan for each precinct may be prepared to the satisfaction of the responsible authority.

A development plan must be in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) and show:

- A detailed site analysis plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
- Levels of the site and the difference in levels between the site and surrounding properties.
- Location of existing buildings on the site and on surrounding properties.
- The use of surrounding buildings.
- Solar access to the site and surrounding properties.
- Any contaminated soils and filled areas, where known.
- The built form, scale and character of surrounding development.
- Architectural and roof styles.
- Any other notable features or characteristics of the site and surrounding area.
- Views to and from the site.
- The location and layout of all car parking areas and spaces and loading bays.
- The location of all vehicular, pedestrian and bicycle ingress and egress and location of access ways.

- The location, height, dimensions floor layout and floor area of all buildings and works including elevation drawings showing proposed materials, finishes and colours.
- The proposed use of each building or part thereof including hours of operation.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- The location of all open space, including areas available to the public and private open space.
- Proposed landscaping associated with the development of the land and in particular the treatment along the frontages to Kororoit Creek Road and the boundaries of the land.
- A management plan for controlling and maintaining open space.
- The stages, if any, in which the land is to be developed, with starting and completion dates for each stage.
- Urban design objectives to be achieved.
- The provision of a sensitive interface between the buildings and their surroundings.

The responsible authority may consider any one or more of the components of a development plan and notify the owner whether they are satisfactory. The responsible authority must consider a component if asked to do so by the owner.

All buildings and works, open space and landscaping and use of land must be in accordance with a development plan.

At the request or with the consent of the owner, a development plan may be amended to the satisfaction of the responsible authority.

**Development Design**

The development of land must be generally in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005), and a Development Plan.

Any development on the land must achieve compliance with the following design guidelines to the satisfaction of the responsible authority:

**Building Design**

- Provide a rich, diverse and harmonious contemporary architectural expression in the design of buildings.
- Use balconies, verandahs and built form to diversify architectural expression and maximise views towards the sea.

- Provide a high level of amenity for dwellings within a development.

- Reduce the scale of buildings by the articulation of the various components in the plan and elevation.

- Conceal rooftop or upper level mechanical plant and equipment. Conceal any other plant and associated equipment and plumbing (excluding downpipes) within the building envelope.

- Integrate any open air roof decks into the design of the roof form.

- Consider the design and form of a roof deck, the setbacks of a roof deck from the roof edge and the form of any structures or elements associated with a roof deck to ensure minimal visual impact on the street, coastal and wetland environs and adjoining properties, and to limit views into the secluded private open space and habitable room windows of adjacent dwellings.

- Consider the relationship of each use component on the land to another, in terms of façade treatment, scale, reduction of wind exposure and provision of solar access within the buildings and related outdoor space.

- Provide a varying setback from all boundaries as noted on the typical building footprints on the Concept Plan, particularly to the north, south and east in order to achieve reduction in the apparent scale and bulk of building form, maximise views and solar access and sheltered external spaces.

- Design and site buildings to take advantage of lake and sea views, and to provide a sense of address to Kororoit Creek Road, the lake and adjoining wetlands, where appropriate.

- Provide wind protection for external spaces and availability of sea views.

- Provide for a variation of building height as it relates to the articulation of the building in plan form and the uses proposed within.

- Provide a sensitive interface between the buildings and their surroundings.

- Provide easy vehicular and pedestrian access through the site.

- Integrate any understorey car parking facilities into the design of the building to reduce any adverse visual impacts of such facilities when viewed from surrounding roads and the adjoining reserve.

- Ensure new development respects the environmental and landscape significance of the Green Reserve on the Concept Plan.

- Design and site buildings in Precinct 4 to provide a transition between building forms and open space including the adjoining Jawbone Reserve.

**Building Height Control**

A building must not be constructed or works (including roof decks) carried out to exceed the maximum building height level as shown in the Table of Uses in this Schedule.

A permit may not be granted to exceed the maximum building height specified in the Table of Uses in this Schedule.

Air conditioning and other plant and mechanical equipment must not exceed the maximum building height specified in the Table of Uses in this Schedule.

Ancillary works including a radio mast, a television mast, a television antenna, a chimney, a flue or the like may exceed the maximum building height specified in the Table of Uses in this Schedule.

Any proposal must demonstrate how the proposal achieves the following design objective:

- To ensure that development does not generally dominate the scale and setting of the street and foreshore.
Setback Requirements
Buildings, unless specified otherwise in this clause, must be setback from adjoining boundaries as follows:

- 6 metres from Kororoit Creek Road in Precincts 1 and 4, allowing for landscaped areas within this space.
- 15 metres from Kororoit Creek Road in Precincts 2 and 3A, allowing for car parking and landscaped areas within this space. Car parking is to be setback a minimum of 3 metres from the northern property boundary.
- 5 metres from the eastern boundary of the site in Precinct 1, together with landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 22 metres from the eastern boundary of the site in Precinct 2, together with at grade car parking between the buildings and the site boundary, and landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 5 metres from the western boundary up to the area designated as ‘Green Reserve’ on the Concept Plan located at the north west corner of Precinct 4.
- 6 metres from the southern boundary of the site adjoining Jawbone Reserve.

Setback areas must be landscaped where appropriate to be in keeping with the character and appearance of the area to the satisfaction of the responsible authority.

Control of Noise and Odour – Commercial Development
A report by a suitably qualified acoustic consultant must be prepared to the satisfaction of the responsible authority and submitted with a development plan application for approval and endorsement and must:

- Demonstrate that sound emanating from the land will not exceed those required to be met under State Environment Protection Policies Nos. N-1 (control of noise from Commerce, Industry and Trade) and N-2 (Control of Music Noise from Public Premises).
- Provide details of sound proofing treatments to all air conditioning, refrigeration or other plant and equipment to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

External amplified public address or speaker systems must not be installed on the premises.
All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the responsible authority.
All exhaust fans and similar vents must be fitted with filtering devices to reduce emissions of kitchen smells and other odours to a level satisfactory to the responsible authority and to avoid adverse impacts to persons in dwellings or accommodation nearby. Details of the type of filtering devices and their effectiveness are to be submitted with a development plan application.

External Lighting
All lighting used to externally illuminate buildings, works and uses must be fitted with cut-off luminaries (baffles) where appropriate to prevent the emission of direct light and indirect light onto adjoining properties to the satisfaction of the responsible authority.

External spaces
- Provide decks and boardwalks facing the lake and sea views to the frontages of buildings on the lakefront.
- Provide a stepped edge to the water to improve the relationship between the deck / boardwalk and the water.
Utilise compatible indigenous species for all planting.

Provide low-level landscape screening to all car-parking areas.

**Landscaping Plan**

A landscaping plan must be prepared to the satisfaction of the responsible authority. The landscape plan must be submitted with a development plan application for approval and endorsement and must show:

- Landscaping for the development and in particular the treatment along the frontage to Kororoit Creek Road and adjoining Jawbone Reserve to the south and a management plan for controlling and maintaining open space.
- Tree planting and surface grading to ensure that basement or semi-basement car parking and support structures below natural ground level are satisfactorily concealed.
- Planting of indigenous species to the locality for parts of the land connected to the lake and any conservation area adjoining the land such as Jawbone Reserve.
- The location of all vehicle, bicycle, pedestrian ways, boardwalks and connections to existing public pathways to Jawbone Reserve.
- Details of fencing of the site boundaries fronting Kororoit Creek Road, Caspian Terrace, the boardwalk, and the eastern and western boundary of Precinct 4.
- Details of any excavation of the existing mound located on the land near the western boundary of Precinct 4 to ensure that the existing mound form located on the adjoining Jawbone Reserve is retained and any excavation is properly stabilised to the satisfaction of the responsible authority.
- Landscaping of the existing mound along the western boundaries of the subject land.

At the request or with the consent of the owner the Landscape Plan may be amended to the satisfaction of the responsible authority.

**Open Space Management Plan**

Prior to the commencement of any buildings or works on any land an open space management plan must be prepared to the satisfaction of the responsible authority. The management plan for controlling and maintaining open space must:

- Show areas of open space that will be available to the public (public areas).
- Show areas of open space that will be available only to residents and employees (non-public areas).
- Show by plans and elevations open space that will be part of a building.
- Specify times when public areas will be available to the public and how it is intended to ensure that they will be available at those times.
- Set out plans for the permanent management and upkeep of public areas.
- Specify the uses to which public areas may be put.
- Include a landscape plan for all public and non-public areas.
- If the land is to be developed in stages, show the area that will be available as open space at completion of each stage.
- Show how public areas, which adjoin the Jawbone Reserve lake system, and conservation area are to be integrated in consultation with the relevant management authority and to the satisfaction of the responsible authority.
- Provide for public access at all times along the lake frontage to the land and connection to the Bay Trail.
At the request or with the consent of the owner the open space management plan may be amended to the satisfaction of the responsible authority.

**Environmental Management Plan**

Prior to the commencement of any buildings or works on any land a site construction and operation environmental management plan must be prepared to the satisfaction of the responsible authority and the Department of Sustainability and Environment. The environmental management plan must provide details of the following:

- Hours during which construction activity will take place.
- Measures to control noise, dust and water runoff, including sediment control and disposal of spoil during construction.
- Stormwater management and on site retention opportunities.
- Location of buildings and building materials stored during construction and delivery.
- Provision of the management of all buildings and construction waste, including recycling and disposal of all materials generated during construction.
- Vehicle access to and from the site and vehicle parking areas for site workers.
- Fencing, barriers or the like surrounding construction sites.
- Method of prevention of plant pathogens into soil and water table adjacent Jawbone Reserve via earth moving equipment.

At the request or with the consent of the owner the environmental management plan may be amended to the satisfaction of the responsible authority.

Storage of building refuse, ground works, spoil or construction materials and earth moving equipment within Jawbone Reserve is prohibited.

**Traffic Plan**

Prior to the commencement of any buildings or works on any land a traffic plan must be included with the overall development plan and prepared to the satisfaction of the responsible authority and Vic Roads.

The plan must show:

- The location and layout of all car parking areas on the land and showing access to and from the site and the car parking areas and a management plan for operating and maintaining the areas.
- Traffic management and traffic control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
- Each stage of traffic works may be designated by a date or as shown on the development plan or by both methods.
- The location and layout of all access points through to Jawbone Reserve from Kororoit Creek Road to the north.
- The location of pedestrian access through the development from Kororoit Creek Road and along the lakefront boardwalk and pathways.
- Provision of vehicular access to Precinct 1 from the existing access to Precinct 2 from Kororoit Creek Road.
- No vehicle access to Precinct 1 shall be provided from Caspian Terrace which adjoins the land to the east.
The responsible authority considers that the economical and efficient vehicular access to the land in Precinct 1 as shown on the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) requires the owner to acquire an easement over land in the vicinity of that land (being the land in Precinct 2- Quest Apartments adjoining the land to the west) using the procedure in Section 36 of the Subdivision Act 1988 and that the acquisition will not result in an unreasonable loss of amenity in the area affected by the acquisition.

Until the traffic management and control works shown on the traffic plan are completed in stages or fully to the satisfaction of the responsible authority, no land may be used for the purposes shown on the development plan, except with a permit.

At the request or with the consent of the owner, the traffic plan may be amended to the satisfaction of the responsible authority.

**Waste Management Plan – Residential development**

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority for the collection of household refuse (in the event that the Council’s collection service is unavailable) and must include details of the proposed collection service and measures to minimise waste.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

**Waste Management Plan- Commercial development**

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority and must include the following:

- Solid and liquid waste management.
- Waste minimisation measures.
- Provision of a dedicated refuse bin storage area, located, enclosed and designed to prevent the escape of refuse and odours; and
- Provision for the disposal and collection of bottles in a manner and location to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

**Storm Water Management Plan**

Any development on the land must have regard to the environmental and habitat values of the adjoining Jawbone Reserve and wetlands.

As part of a development plan application, a storm water management plan must be submitted for approval and endorsement which provides details of the collection, disposal, treatment and reuse of stormwater from the development in accordance with Water Sensitive Urban Design principles and to the satisfaction of the responsible authority.

At the request or with the consent of the owner the storm water management plan may be amended to the satisfaction of the responsible authority.

**Dwellings**

The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of dwellings in Precinct 3A.

Any dwelling on the land must comply with the objectives of Clause 54 and 55, where applicable.
Medium Density Dwellings
The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
A permit may be issued for the development of medium density dwellings in Precinct 3A.
Any medium density development must comply with the objectives of Clause 55, where applicable.

Retirement Village Development
The location of any retirement village development on the land must be within Precinct 3A as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
Any retirement village development in Precinct 3A must:
- Provide a variety of in house ancillary uses for residents such as a common room, an area for recreation and the like.
- Provide a development with a frontage that addresses Kororoit Creek Road
- Incorporate landscaping into the design of the development which is suitable and appropriate to the use and the site.
A permit may be issued for the development of a retirement village in Precinct 4 on the Concept Plan.

Motel
The location of any motel development on the land must be within Precinct 2 as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
A permit may be issued for the development of a motel in Precinct 3A on the Concept Plan.

Restaurant / Function Centre
The location of any restaurant and/or function centre on the land must be within Precinct 3B as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
The location and design of any advertising signs, fencing, landscaping, architectural feature and the like associated with the building must not encroach upon or obstruct the north to south public access and view corridor adjoining the land to the west.
Written approval of the hours of operation of the restaurant and/or function centre or any ancillary use is required from the responsible authority prior to the operation of the use.

Decision Guidelines
Before deciding whether a development plan including the landscaping plan, open space management plan and traffic plan are satisfactory, the responsible authority must consider:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The content and intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The extent to which the proposal achieves the objectives as set out in the purpose of the zone.
- Compliance with the urban design objectives prepared in accordance with the development plan.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood and in particular access to or along Kororoit Creek Road.
Any views on the traffic plan or a development plan expressed by Hobsons Bay City Council or Vic Roads.

Any views expressed by the Environment Protection Authority on a development plan, environmental management plan, storm water management plan and waste management plan, as appropriate.

Any views expressed by the Department of Sustainability and Environment on a development plan, landscape plan, open space management plan, storm water management plan and the environmental management plan.

Vehicular and pedestrian points of access to and from the land and whether they are suitably located.

The location and layout of car parking spaces, access lanes and access thereto from Kororoit Creek Road to them.

The design of the proposed buildings and their relationship to existing development on adjoining sites.

The interface with adjoining zones including conservation and residential areas.

The extent to which the building and works are designed to preserve and enhance the landscape character of the conservation zone and surrounds.

Whether the height, scale, bulk and setback and appearance of new development is compatible with the prevailing character of the area.

Whether the development is of high quality architectural and urban design standard and avoids poor building and landscaping design solutions.

Whether a high level of amenity is provided for dwellings within new development.

Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.

Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades, roof form and articulation of the building form.

Whether views of understorey car parking facilities, garages and carports from the foreshore/lakefront and Kororoit Creek Road are minimised.

Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.

Whether the height of new development does not result in unreasonable amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.

Whether the overshadowing of public spaces is minimised.

Landscape treatment and provision of appropriate species and location of planting.

The provision of utility services including sewerage, water, drainage, gas and telecommunications.

The impact of noise and light emanating from the development on the fauna of the conservation area.

The protection and enhancement of the environmental qualities of Jawbone Reserve and public open spaces from inappropriate development.

Whether the height of any development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and architectural design.
- The extent to which safe and convenient public pedestrian access is provided through the land as shown on the Concept Plan to connect Kororoit Creek Road to the Bay Trail.

6.0
11/12/2008
C62(Part 1)

**Contaminated Land**

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

7.0
16/08/2007
C70

**Advertising Signs**

Category 4 of Clause 52.05 will be used to consider any proposal for signage located within 20m from the foreshore.

Category 3 of Clause 52.05 applies to the remainder of the site.

Any illuminated signage on the land should be shielded from the Jawbone Reserve.
The Range Estate Stage 7 Concept Plan
SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ2.

ALTONA NORTH COMPREHENSIVE DEVELOPMENT PLAN

Land

The land is bordered by Kyle Road, Blackshaws Road, New Street, the West Gate Freeway and Brooklyn Terminal Sub-station, in Altona North and South Kingsville.

Purpose

To facilitate the land’s transition from an industrial precinct to a mixed use precinct.

To facilitate the orderly development and integration of residential, commercial, retail and a mix of other uses.

To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of industrial uses.

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 Corrective institution, Camping and caravan park and Residential aged care facility)</td>
<td>Must be no more than 3,000 dwellings in the CDP area. Must be located in the residential area; or Must be at least 7.2 metres (two storeys) above natural ground level at the primary street frontage excepting building entries in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than five animals.</td>
</tr>
<tr>
<td>Child care centre</td>
<td>Must be located in the local community facility area, town centre area or commercial / mixed use area.</td>
</tr>
<tr>
<td>Cinema Education centre Exhibition centre</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Must be located more than 450 metres from the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline.</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Must be located in in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 500 square metres.</td>
</tr>
</tbody>
</table>
### Table: Conditions for Various Uses

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail premises (other than Adult sex product shop, Department store, Gambling premises and Supermarket)</td>
<td>Must be located in the town centre area.</td>
</tr>
<tr>
<td>Service industry</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>The gross floor area of all buildings must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>Must be located in the town centre area.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</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>Emergency services facility</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>The site must either adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Gambling premises (other than Gaming premises)</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Refuse disposal)</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop, Convenience shop, Department store, Gaming premises, Supermarket and Take away food premises)</td>
<td>Must be located in the commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>— where the section 1 condition is not met</td>
</tr>
<tr>
<td>Service station</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>The site must either adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed 3000 square metres.</td>
</tr>
<tr>
<td>Tavern</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must be located in the town centre or commercial / mixed use area.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
</tbody>
</table>

| Any other use not in Section 1 or 3                                   |                                                                           |
Section 3 - Prohibited

Use

Adult sex product shop
Brothel
Camping and caravan park
Cemetery
Cinema – if the section 1 condition is not metCorrective institution
Crematorium
Department store
Exhibition centre – if the section 1 condition is not met
Freeway service centre
Gaming premises
Helicopter landing site
Major sport and recreation facility
Materials recycling
Motor racing track
Nightclub
Recreational boat facility
Refuse disposal
Saleyard
Supermarket – if the section 1 condition is not met
Transport terminal
Winery

Use of land

Requirements

An application for use of the land must generally be in accordance with the Altona North Comprehensive Development Plan August 2018.

All requirements of the Altona North Comprehensive Development Plan August 2018 must be met.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects of the use, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
• If an industry or warehouse use:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

• If a dwelling use:
  - The likely effects of the dwellings on the local and regional traffic network;
  - The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained;
  - The proposed method of funding the required works, services or facilities;
  - The availability and capacity of the power, drainage, sewer, water and digital networks;
  - Any necessary upgrades to those networks.
  - The proposed method of funding the upgrade works.

2.3
24/09/2018
C88
Exemption from notice and review
An application for the use of land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, if it is generally in accordance with the Altona North Comprehensive Development Plan August 2018.

2.4
24/09/2018
C88
Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

• The Altona North Comprehensive Development Plan August 2018.
• The effect that existing lawful industrial uses may have on the proposed use.
• If an application for an industry or warehouse use, the effect that the use may have on the amenity of the area and the means of addressing any unreasonable impacts.
• If an application for a dwelling use, the capacity of the local and regional traffic networks, local utilities and community facilities to support the proposed number of dwellings.

3.0
24/09/2018
C88
3.1
24/09/2018
C88
Subdivision
Requirements
The subdivision of land must generally be in accordance with the Altona North Comprehensive Development Plan August 2018.

All requirements of the Altona North Comprehensive Development Plan August 2018 must be met.
Provision for affordable housing

Prior to the issue of a Statement of Compliance for any subdivision of land, the owner of the land must enter into an agreement with the Hobsons Bay City Council (Council) under section 173 of the Planning and Environment Act 1987 for the provision of affordable housing, which must provide for the following:

The land owner must make a contribution towards affordable housing (Affordable Housing Contribution) to the satisfaction of the Council.

For the purposes of the agreement “affordable housing” is to have the same meaning as any definition of that phrase contained within the Planning and Environment Act 1987, or any other definition as agreed between the land owner and the Council.

The agreement must include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.

The agreement must provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:

- A number of dwellings equal to 5% of the total dwellings that are constructed on the land rounded down to the nearest whole number, or any lesser number of dwellings as agreed between the parties, must be identified as Affordable Housing Dwellings by the land owner.

- The Affordable Housing Dwellings are to be made available by the land owner for purchase by either the Council or by a Housing Agency which is registered as either a housing association or housing provider under the Housing Act 1983 (Housing Agency).

- The price at which the Affordable Housing Dwellings are to be made available for purchase to the Council or a Housing Agency must not exceed an amount that is 25% less than the current 12-month median unit price for a two-bedroom unit in Altona North as published by the Real Estate Institute of Victoria as at the date the agreement is made (Offer Price).

- Alternatively, the land owner and the purchaser may agree to a purchase price that is different to the Offer Price for any or all of the Affordable Housing Dwellings.

- If any of the Affordable Housing Dwellings are not purchased by the Council or a Housing Agency then, with respect to any unpurchased Affordable Housing Dwellings, the land owner must instead make to the Council or a Registered Housing Association an Affordable Housing Payment.

- The amount of the Affordable Housing Payment must not be less than an amount equal to the number of Affordable Housing Dwellings that have not been purchased, multiplied by a figure which represents 25% of the current 12-month median unit price for a two bedroom unit in Altona North as published by the Real Estate Institute of Victoria as at the date the agreement is made.

The agreement must also provide that it is open to the parties to reach agreement as to any other, alternative method by which the land owner can make or deliver the Affordable Housing Contribution.

The agreement must also provide that where the parties have agreed on an alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.

Compensation for Additional Public Open Space Land

If the land to be subdivided is required by the Altona North Comprehensive Development Plan August 2018 includes an area or areas of Public Open Space that in total area exceeds the percentage specified as the open space contribution for the land in clause 52.01 (Additional Land):
The owner must agree to transfer to Hobsons Bay City Council (Council), at no cost, all of the land in the subdivision identified in the *Altona North Comprehensive Development Plan August 2018* as Public Open Space to the Council, including the Additional Land; and

The Council must agree to pay compensation to the landowner for the Additional Land, at a time and in a manner agreed to by the parties.

If the land to be subdivided is required by the *Altona North Comprehensive Development Plan August 2018* to include an area or areas of Public Open Space that is less than the percentage specified as the open space contribution for the land in clause 52.01:

- The owner must agree to transfer to the Council at no cost all of the land in the subdivision identified in the *Altona North Comprehensive Development Plan August 2018* as Public Open Space to the Council; and
- The owner must agree to pay an amount to the Council that reflects the difference between the amount of actual land being transferred to the Council and the percentage identified as the open space contribution for the land in clause 52.01, at a time and in a manner agreed to by the parties.

**Standard of open space on transfer to municipal council**

All public open space must be finished to a standard that satisfies the reasonable requirements of the responsible authority prior to the transfer of the public open space, including:

- Removal of all existing disused structures, foundations, pipelines and stockpiles;
- Clearing of rubbish, environmental weeds and rocks;
- Levelled, topsoiled and grassed with warm climate grass;
- Provision of water tapping, potable, and where available recycled, water connection points;
- Sewer, gas and electricity connection points to land;
- Trees and other plantings;
- Vehicle exclusion devices (fence, bollards or other suitable methods) and maintenance access points;
- Installation of park furniture including barbeques, shelters, rubbish bins, local scale playground equipment, appropriate paving and pedestrian and cycle paths; and
- A certificate of environmental audit for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or a statement of environmental audit for the land, without onerous ongoing requirements to the satisfaction of the municipal council, in accordance with Part IXD of the *Environment Protection Act 1970*.

**Works to be provided in association with development**

Development within the precinct must provide and meet the total cost of delivering the following infrastructure, unless provided for in the *Altona North Development Contributions Plan August 2018*:

- Connector streets and local streets;
- Local bus stop infrastructure where locations are agreed in writing by Public Transport Victoria;
- Landscaping, and where required by the responsible authority, fencing of abutting streets and roads;
- Intersection works and traffic management measures along arterial roads, connector streets, and local streets;
- Local shared, pedestrian and bicycle paths along local roads, connector streets, utilities easements, local streets, waterways and within local parks including bridges, intersections, and barrier crossing points;
- Bicycle parking;
- Appropriately scaled lighting along all roads, major shared and pedestrian paths, and traversing the open space network; and
- Local drainage system and water quality systems.

### Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan showing the proposed subdivision in the context of Plan 1 – Future Urban Structure and any other relevant plan in the Altona North Comprehensive Development Plan August 2018.

### Dwelling yield and density

- An assessment of the dwelling yield and density of the residential development proposed in relation to the dwelling yield and density ranges for the sub-precinct in which the land is located, as shown on the Plan 8 - Dwelling Yield and Density Plan contained in the Altona North Comprehensive Development Plan August 2018. The assessment should set out how the proposed number of dwellings is contributing to the overall precinct yield of 3,000 dwellings.

- A land use budget setting out the proposed land use areas and the number of premises, e.g. dwellings in the plan, including details about how the development yield allowable by the subdivision is contributing to the overall precinct yield of 3,000 dwellings.

### Public Infrastructure Plan

A Public Infrastructure Plan, which must show the location, type, staging and timing of infrastructure on the land as identified in the Altona North Comprehensive Development Plan August 2018 or as reasonably required as a result of the subdivision of the land and which addresses the following:

- Stormwater drainage and water quality works;
- Road works internal or external to the land consistent with any relevant traffic report or assessment;
- The reserving or encumbrance of land for infrastructure, including for public open space and community facilities;
- Any infrastructure works which an applicant proposes to provide in lieu of development contributions in accordance with the Altona North Development Contributions Plan August 2018;
- The effects of the provision of infrastructure on the land or any other land;
- Any other relevant matter related to the provision of infrastructure reasonably as required by the responsible authority.

### Noise

Where the land is likely to be detrimentally impacted by noise levels associated with national freight rail line adjoining the north-east corner of the precinct or an existing industrial use, an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person. The acoustic assessment must:

- Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel, the national freight rail line adjoining the north-east corner of the precinct and existing industrial uses, including the Brooklyn Terminal Sub-station.
Include recommendations for noise attenuation measures designed to achieve reasonable internal bedroom noise limits. An application must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.

- An application for subdivision that includes provision to construct or carry out works for an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material showing:
  - A visually engaging design avoiding the use of a sheer wall on either side of the structure.
  - Landscaping along the interface area of the structure to soften its visual impact.

Subdivision near fuel and gas transmission pipelines

- Prior to the commencement of any works related to the subdivision of land, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline, a construction management plan must be submitted to and approved by the responsible authority. The plan must:
  - Prohibit the use of rippers or horizontal directional drills.
  - Set out measures to ensure the protection of the pipelines during construction.
  - Be endorsed by the operator of the gas or fuel transmission pipeline.
  - Include any other relevant matter.

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

This does not apply to an application which proposes to relocate an identified street, public open space or trail as shown on any plan in the Altona North Comprehensive Development Plan August 2018, from one lot to another lot in different ownership.

Decision guidelines

The following decision guidelines apply to an application under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Altona North Comprehensive Development Plan August 2018.
- Whether the subdivision provides for public roads and if so, how the proposed public roads integrate with the existing and proposed surrounding road network.
- The effect of the subdivision on the redevelopment of the precinct in the long-term.

Buildings and works

Permits required

No permit is required to construct a building or construct or carry out works for the following:

- One dwelling on a lot that is greater than 300 square metres in area. This does not apply if the dwelling exceeds any of the discretionary building or façade heights or setbacks in Table 2 – Land Use and Built Form Outcomes of the Altona North Comprehensive Development Plan August 2018.
• A front fence. This does not apply if the front fence is within 3 metres of a street and associated with one dwelling on:
  - A lot of less than 300 square metres.
  - A lot more than 300 square metres in area on land described as ‘Local Road Frontages’ or ‘Blackshaws Road frontage’ on Plan 2 – Sub Precincts Plan in the Altona North Comprehensive Development Plan August 2018.
  - The fence exceeds 1.2 metres in height.

• An out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

4.2 Requirements

The following requirements apply to construct a building or carry out works:

• An application for buildings and works must generally be in accordance with the Altona North Comprehensive Development Plan August 2018.

• All requirements of the Altona North Comprehensive Development Plan August 2018 must be met.

• A development of one dwelling on a lot must meet the requirements of Clause 54.

• A development of more than one dwelling on a lot must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

• An application for a residential building or multi-dwelling building within 60 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline must not exceed a height of 10.4 metres (3 storeys).

• Prior to the commencement of any building or works, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline a construction management plan must be submitted to and approved by the responsible authority. The plan can be amended from time to time and must:
  - Prohibit the use of rippers or horizontal directional drills.
  - Set out measures to ensure the protection of the pipelines during construction.
  - Be endorsed by the operator of the gas or fuel transmission pipeline.
  - Include any other relevant matter.

• A permit must require a construction management plan to, in addition to any other relevant matter, protect and implement the following matters, as relevant:
  - The disused fuel transmission pipeline under Blackshaws Road.
  - The mobile telecommunications tower near the northern boundary of 278 Blackshaws Road and the southern boundary of 40-68 Kyle Road.
  - The elimination, containment and management of weeds on the site.
  - The protection of, and maintenance of access to, the Brooklyn Main Trunk Sewer.

4.3 Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:
Dwelling yield and density

- An assessment of the dwelling yield and density of the residential development proposed in relation to the dwelling yield and density ranges for the sub-precinct in which the land is located, as shown on the Plan 8 - Dwelling Yield and Density Plan contained in the Altona North Comprehensive Development Plan August 2018. The assessment should also set out how the proposed number of dwellings is contributing to the overall precinct yield of 3,000 dwellings.

Noise

- An application to construct a building or carry out works for an accommodation use must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person, to the satisfaction of the responsible authority. The acoustic assessment must:
  - Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel, the national freight rail line adjoining the north-east corner of the precinct and existing industrial uses, including the Brooklyn Terminal Sub-station.
  - Include recommendations for noise attenuation measures designed to achieve the reasonable internal bedroom noise limits.
    An application must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.

- An application to construct or carry out works for an acoustic wall or other acoustic structure that is not part of a building, must also be accompanied by a plan, elevations and other suitable material showing:
  - A visually engaging design, avoiding the use of a sheer wall on either side of the structure.
  - Landscaping along the interface area of the structure to soften its visual impact.

Sustainability

- An application to construct a building must be accompanied by a sustainability management plan, prepared by a suitably qualified professional or other suitably skilled person, that demonstrates:
  - Whether during construction of the building best practice environmental management practices will be adopted, including provision for the re-use and recycling of materials and waste.
  - Whether the building will be designed to provide an opportunity for reduced energy and resource use by occupants including:
    Maximising access to natural ventilation of interior spaces.
    Maximising direct daylight access and views to outdoor spaces.
    Minimising hard surfaces and maximising landscaped areas in spaces outside the building.
    Passive design features to reduce heat gain in summer and maximise heat gain in winter.
    Providing for on-site energy production.
    Using an appropriate tool for energy and resource use.

Residential development of four storeys or less

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

General

- Plans drawn to scale which show:
- The boundaries and dimensions of the site.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- Relevant ground levels.
- The layout of existing and proposed buildings and works.
- All driveway, car parking and loading areas.
- Proposed landscape areas.
- All external storage and waste treatment areas.
- Areas not required for immediate use.

- Elevations drawn to scale that show the design, colour and materials of all buildings and works.
- A landscape layout drawn to scale which includes details of the vegetation to be planted, ground surfaces to be constructed, site works specifications and method of preparing, draining, watering and maintaining the landscape area.

## Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Altona North Comprehensive Development Plan August 2018.

- In town centre and commercial / mixed use areas:
  - The design of buildings and works and whether this is likely to encourage pedestrian activity on adjoining streets.
  - The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
  - The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.

- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

## Signs

Advertising sign requirements are at Clause 52.05. All land located with the Town centre is in Category 1 and the Commercial / mixed use area is in Category 2. All other land is in Category 3.
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

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

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

### Signs

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
# SCHEDULE TO THE URBAN FLOODWAY ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

• A statement of environmental significance.

• The environmental objectives to be achieved.

Permit requirement

A permit is required to:

• Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

• Construct a fence if specified in a schedule to this overlay.

• Construct bicycle pathways and trails.

• Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

• Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  – If a schedule to this overlay specifically states that a permit is not required.
  – If the table to Clause 42.01-3 specifically states that a permit is not required.
  – To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence.  

Remove, destroy or lop one tree.  

Construct a building or construct or carry out works for:  

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

---

### Table of exemptions

**The requirement to obtain a permit does not apply to:**

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

| Extractive industry | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>fire fighting;</td>
</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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- Section 65 of the *Forests Act 1958*; or
- Section 41 of the *Country Fire Authority Act 1958*.

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>category</th>
<th>description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <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 costeaning and bulk sampling activities.

**Surveying**

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.

**Traditional owners**

Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

**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.
KOROROIT CREEK CORRIDOR PROTECTION

Statement of environmental significance

Kororoit Creek is a major environmental and recreational asset within Melbourne’s western region winding its way from its headwaters at Mount Aitken, Deverall Hill and Beattie Hill to enter Port Phillip Bay at Altona 81 kilometres downstream.

Kororoit Creek is significant for its geomorphological, landscape, biodiversity and recreational values, particularly within the 30 metre habitat corridor along the waterway.

Kororoit Creek is part of the extensive western basalt plains, which formed by volcanic activity at least two million years ago. The natural escarpments and deep pools of Kororoit Creek are a distinguished characteristic and make the Creek a significant waterway within Melbourne’s west and north. Kororoit Creek is an outstanding example of a Victorian basalt plains stream. In an urban Melbourne context it is one of the most valuable streams in Melbourne, with its natural pools and escarpments rivalling and surpassing most others.

Kororoit Creek passes through a diverse range of landscapes and land-uses. The characteristics of the Creek alter from flat, open rural land to established and developing urban suburbs industrial land with significantly altered Creek profiles and into flood plains passing through rich mangrove and saltmarsh habitats.

The Creek corridor provides a habitat for endangered species such as the Growling Grass Frog and the Striped Legless Lizard, as well as internationally recognised migratory birds at the saltmarshes of the Creek mouth. The Creek also features significant remnant native vegetation, including the River Red Gum and White Mangroves. In addition, the Creek banks and land at the top of the banks, while somewhat degraded contain a number of sites supporting remnant vegetation, providing valuable habitat.

Kororoit Creek corridor is regarded as an important and valuable asset by local communities of the western suburbs and visitors. The Creek is used extensively for walking, cycling, open space, recreation and picnics.

As such, the protection and restoration of sites and features of geomorphological, landscape, biodiversity and recreational values are of a high importance.

Local Context

Hobsons Bay

The northern reach of the Creek is characterised by an incised Creek corridor with little remnant indigenous vegetation and industrial properties lining the corridor. The main exception is downstream of Grieve Parade where the Creek is bounded by open space including G.J. Hosken Reserve. The sense of elevation at Hosken Reserve provides valuable views into escarpments and the Creek corridor. The Creek itself is quite deeply incised into the surrounding land so the character of the corridor is one of remoteness and isolation. The generally degraded landscape is being improved through areas of revegetation. Scattered areas of intact in-stream vegetation and deep pools are found in this reach of the Creek. The rock escarpments and associated vegetation and in-stream vegetation are locally to regionally significant.

The southern reach of the Creek is characterised by areas of high ecological value with industrial properties lining the northern side of the corridor. ‘Wide Bend’ where the Creek runs between Kororoit Creek Road and Millers Road is a significant habitat and ecological area. Kororoit Creek enters Port Phillip Bay through the Altona Coastal Park where thousands of migratory birds, many of which are covered by international agreements relating to migratory birds, visit every year and where large areas of intact saltmarsh and mangroves form an important ecological location. The
mouth of the Creek is rich in character and the tidal channels and associated saltmarshes are one of the few remaining coastal wetlands in metropolitan Melbourne. Instream vegetation is locally to regionally significant.

**Environmental objectives to be achieved**

**Ecological Systems**

**Objective 1**
To protect and improve waterway health and biodiversity values of Kororoit Creek and its environs, including native vegetation, fauna habitat, flora and fauna species.

**Guidelines**
- Minimise degradation of environmental value by avoiding the removal or damage to existing native vegetation and habitat areas.
- Landscape design, groundwater/stormwater design and earthworks should prevent any adverse impacts on water run-off, weed invasion, exotic species introduction and land erosion.
- Limit public access to areas identified as high value biodiversity areas with appropriate fencing, access ways and signage.
- Protect or enhance water quality in the Creek, including the use of water sensitive urban design and the construction of stormwater treatment ponds adjacent to the Creek corridor.
- Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

**Landscape character**

**Objective 2**
To protect and enhance the natural geological form of the Creek, particularly rock escarpments and associated pools of the Kororoit Creek.

**Guidelines**
- Encourage rehabilitation works to return the Creek banks to a natural state, particularly where it has been significantly altered or channelled.
- Protect natural river profile, geomorphology and geological formations by avoiding major earthworks, minimising cut and fill of embankments and managing access.

**Objective 3**
To improve the landscape character of the Creek corridor.

**Guidelines**
- Ensure that elements of the original landscape are retained particularly through the planting of indigenous vegetation.
- New landscaping and vegetation should be located and designed to reinforce the legibility of the local waterway landform and re-establish the Creek's original natural setting.

**Open space and access objectives**

**Objective 4**
To create and maintain a continuous open space corridor and access trail with links to an open space network of local parks, linear green spaces, regional parks and trail connections.
Guidelines

- Maintain opportunities for integration/connection of the Kororoit Creek trails and pathways with other existing and proposed trails.
- Retain existing connections and protect potential connections from the Creek corridor to community facilities, other open space trails and the regional open space network.
- Construct access paths / trails in accordance with the AustRoads Trail Standards and the Melbourne Water Shared Pathways Guidelines (January 2009).
- Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

Views and visual features

Objective 5
To protect and enhance the natural and visually attractive Creek corridor and landscape views along the Creek corridor.

Guidelines

- Development and works (buildings, fences or other structures) should be designed and located so as not to be visually prominent or intrusive when viewed from the Creek corridor and pathways/trails.
- Landscape enhancement and revegetation works should seek to restore the natural environment and reduce the visual prominence of urban forms, for example landscape screening with indigenous vegetation to obscure the visibility of the built form.
- Ensure works adjoining the Creek are sensitively placed and designed to minimise the visual impact on the Creek corridor.

Built form objectives

Objective 6
To avoid or minimise impacts of buildings and works on the Creek corridor.

Guidelines

- Ensure careful and responsive subdivision and building design reflects the landform and geomorphology of the Creek valley.
- Ensure that the earthworks, built form and fencing retain and enhance the local natural landform and bank profile of the Creek corridor, through appropriate setback and landscaping.
- Ensure development and works are sensitively placed and designed to provide a positive interface to the Creek corridor.
- Locate and design new buildings to not be visually prominent or intrusive when viewed from the Creek corridor or pathways/trails.
- Ensure development provide opportunities for passive surveillance of the Creek corridor.
- Minimise hard paving surfaces on lots adjacent to the Creek.
- Encourage the provision of a continuous publically accessible open space corridor adjacent to the waterway.
- Fence transparency must be a minimum of 50%. Fence design, materials and transparency should be appropriate to the landscape setting of the Creek and provide opportunities for visual interaction along the Creek corridor.
• Built form should not be visually obtrusive within the Creek corridor. Visual bulk should be avoided through building form, materials, articulation, setbacks and with landscape screening where no design alternative exists.

• Building facades should be highly articulated in response to the landscape context, avoiding large, stark expanses of wall materials. External wall and roof materials should be appropriate to the natural, landscape setting of the Creek corridor. Highly reflective or metallic materials should be avoided.

• Ensure the use of consistent built landscape elements, such as signage, pathways and furniture.

3.0

Permit requirement

In addition to the permit requirements of Clause 42.01-2, a permit is required to:

• Construct a building or fence.

A permit is not required for:

• Undertaking routine maintenance and repairs to existing buildings and works which are undertaken to the same details, specifications and materials.

• Works undertaken by or on behalf of a public authority or waterway management agency for:
  - Ongoing management and operation of effluent treatment.
  - Regulation of the flow of water in a watercourse.
  - Environmental protection and enhancement of the Creek corridor.
  - Regulation or mitigation of flooding from the Creek.
  - Ongoing management, operation and maintenance of a minor utility.
  - Ongoing management of fire breaks

The requirement for a permit to remove, destroy, prune or lop vegetation does not apply to:

• Removing environmental weeds identified in Table 1 to this Schedule or as proclaimed as a weed under the Catchment and Land Protection Act (1994).

• Pruning or lopping of vegetation to maintain access to open space and pedestrian trails/paths, public safety or to maintain a plant’s horticultural health.

• The removal of non-indigenous plants in the preparation for revegetation or native vegetation management works by / on behalf of a municipal council or public authority or waterway management authority.

4.0

Application requirements

An application to subdivide land, construct a building or construct or carry out works must be accompanied by the following information as appropriate, unless otherwise agreed to by the responsible authority:

• A site plan to scale showing lot boundaries, setbacks of existing and proposed buildings and works, driveways and vehicle parking and loading areas, external storage and site service areas, proposed landscape areas and the location of any easements, native and exotic vegetation and the vegetation to be removed.

• An application for buildings and works should include an Environmental Construction Management Plan that will provide, but not be limited to the following information:
  - The location, species and value of existing native vegetation on site.
  - How buildings or works will not compromise remnant native vegetation.
- How buildings or works will not compromise the Creek corridor landscape or natural landform.
- How the development will protect the existing ecological values of the Creek corridor.
- How buildings or works will not threaten stream processes or water quality.
- Proposed measures to minimise the extent of stream bank disturbance and runoff.
- The need to stabilise disturbed areas by engineering works or vegetation.
- Construction vehicle access.

- Building elevations drawn to scale.
- Existing and proposed finished site levels.
- The gradient and location of the top and toe of all cut and fill batters.
- The location, height and materials of construction of existing and proposed retaining walls.
- Floor plan layouts and finished floor levels.
- A landscape plan showing existing and new vegetation, retaining walls and fencing.
- The proposed external building materials, finishes and colours.
- Details of the location of the proposed method of sewage, stormwater, sullage and effluent disposal.
- The location of fuel tanks, water storage or other storage facilities so as to not inhibit the ability to carry out ecological burning of adjacent vegetation.
- The gradient and location of all hardstand areas to direct surface water away from native vegetation and into approved drainage points.
- An application to remove, destroy or lop vegetation must be accompanied by the following information:
  - A description of the vegetation to be removed, including the extent and type of vegetation and the number and size of any vegetation to be removed.
  - A written explanation justifying the removal of the vegetation.

### Decision Guidelines

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

- The guidelines for each objective.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement.
- The *Kororoit Creek Regional Strategy 2005-2030* and any relevant adopted waterway management plan or waterway master plan.
- The views of Melbourne Water.

### Reference Documents

- *Kororoit Creek Regional Strategy 2005-2030.*
- *Kororoit Creek Masterplan 2006*  
- *Port Phillip and Westernport Regional River Health Strategy (June 2007)*
### Table 1 to Schedule 1 - Environmental Weeds

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Acacia baileyana</em></td>
<td>Cootamundra Wattle</td>
</tr>
<tr>
<td><em>Acer pseudoplatanus</em></td>
<td>Sycamore Maple</td>
</tr>
<tr>
<td><em>Agapanthus orientalis</em></td>
<td>Agapanthus</td>
</tr>
<tr>
<td><em>Agave sp</em></td>
<td>Agave</td>
</tr>
<tr>
<td><em>Allium triquetrum</em></td>
<td>Angled Onion</td>
</tr>
<tr>
<td><em>Aloe sp</em></td>
<td>Aloe</td>
</tr>
<tr>
<td><em>Anredera cordifolia</em></td>
<td>Madeira Vine</td>
</tr>
<tr>
<td><em>Asparagus asparagoides</em></td>
<td>Bridal Creeper</td>
</tr>
<tr>
<td><em>Berkheya rigida</em></td>
<td>African thistle</td>
</tr>
<tr>
<td><em>Beta vulgaris</em></td>
<td>wild beet</td>
</tr>
<tr>
<td><em>Carduus spp.</em></td>
<td>Slender Thistle</td>
</tr>
<tr>
<td><em>Carduus tenuiflorus</em></td>
<td>Winged Slender-thistle</td>
</tr>
<tr>
<td><em>Centaurea calcitrapa</em></td>
<td>Star Thistle</td>
</tr>
<tr>
<td><em>Chamecytisus proliferus</em></td>
<td>Tree lucern</td>
</tr>
<tr>
<td><em>Chrysanthemoides monilifera</em></td>
<td>Boneseed</td>
</tr>
<tr>
<td><em>Cirsium arvense</em></td>
<td>Perennial Thistle</td>
</tr>
<tr>
<td><em>Cirsium vulgare</em></td>
<td>Spear Thistle</td>
</tr>
<tr>
<td><em>Clematis vitalba</em></td>
<td>Old Man's Beard</td>
</tr>
<tr>
<td><em>Convolvulus arvensis</em></td>
<td>Common Bindweed</td>
</tr>
<tr>
<td><em>Coprosma repens</em></td>
<td>Mirror Bush</td>
</tr>
<tr>
<td><em>Cortaderia selloana</em></td>
<td>Pampas Grass</td>
</tr>
<tr>
<td><em>Cotoneaster franchetti</em></td>
<td>Grey Cotoneaster</td>
</tr>
<tr>
<td><em>Cotoneaster glaucophyllus</em></td>
<td>Large-leaf Cotoneaster</td>
</tr>
<tr>
<td><em>Cotoneaster pannosus</em></td>
<td>Silver-leaf Cotoneaster</td>
</tr>
<tr>
<td><em>Crataegus monogyna</em></td>
<td>Hawthorn</td>
</tr>
<tr>
<td><em>Cuscuta planiflora</em></td>
<td>Small-seed Alfalfa-dodder</td>
</tr>
<tr>
<td><em>Cynodon dactylon</em></td>
<td>Couch</td>
</tr>
<tr>
<td><em>Cynara cardunculus</em></td>
<td>Artichoke Thistle</td>
</tr>
<tr>
<td><em>Cytisus scoparius</em></td>
<td>English Broom</td>
</tr>
<tr>
<td><em>Datura stramonium</em></td>
<td>Common Thorn-apple</td>
</tr>
<tr>
<td><em>Diplotaxis tenuifolia</em></td>
<td>Sand Rocket</td>
</tr>
<tr>
<td><em>Dipsacus fullonum subsp. fullonum</em></td>
<td>Wild Teasel</td>
</tr>
<tr>
<td><em>Diptatherum milaceam</em></td>
<td>Rice Millet</td>
</tr>
<tr>
<td><em>Dittrichia graveolens</em></td>
<td>Stinkwort</td>
</tr>
<tr>
<td><em>Echium plantagineum</em></td>
<td>Paterson's Curse</td>
</tr>
<tr>
<td><em>Eichhornia crassipes</em></td>
<td>Water Hyacinth</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Emex australis</td>
<td>Spiny Emex</td>
</tr>
<tr>
<td>Eragrostis curvula</td>
<td>African Love-grass</td>
</tr>
<tr>
<td>Foeniculum vulgare</td>
<td>Fennel</td>
</tr>
<tr>
<td>Fraxinus angustifolia</td>
<td>Desert Ash</td>
</tr>
<tr>
<td>Genista linifolia</td>
<td>Flax Leaf Broom</td>
</tr>
<tr>
<td>Genista monspessulana</td>
<td>Montpellier Broom</td>
</tr>
<tr>
<td>Hedera helix</td>
<td>English Ivy</td>
</tr>
<tr>
<td>Hypericum perforatum subsp. veronense</td>
<td>St John's Wort</td>
</tr>
<tr>
<td>Ipomoea ssp.</td>
<td>Morning Glory</td>
</tr>
<tr>
<td>Juncus acutus subsp. acutus</td>
<td>Spiny Rush</td>
</tr>
<tr>
<td>Lagunaria patersonii</td>
<td>Norfolk Island Hibiscus</td>
</tr>
<tr>
<td>Lepidium draba</td>
<td>Hoary Cress</td>
</tr>
<tr>
<td>Leucanthemum vulgare</td>
<td>Ox-eye Daisy</td>
</tr>
<tr>
<td>Ligustrum spp.</td>
<td>Privets</td>
</tr>
<tr>
<td>Lycium ferocissimum</td>
<td>African Box-thorn</td>
</tr>
<tr>
<td>Marrubium vulgare</td>
<td>Horehound</td>
</tr>
<tr>
<td>Melaleuca armillaris</td>
<td>Bracelet Honey Myrtle</td>
</tr>
<tr>
<td>Moraea miniata</td>
<td>Two-leaf Cape-tulip</td>
</tr>
<tr>
<td>Nassella neesiana</td>
<td>Chilean Needle-grass</td>
</tr>
<tr>
<td>Nassella trichotoma</td>
<td>Serrated Tussock</td>
</tr>
<tr>
<td>Olea europaea</td>
<td>Olive</td>
</tr>
<tr>
<td>Onopordum acanthium subsp. acanthium</td>
<td>Scotch Thistle</td>
</tr>
<tr>
<td>Opuntia robusta</td>
<td>Wheel Cactus</td>
</tr>
<tr>
<td>Opuntia sp.</td>
<td>Cactus/prickly pear</td>
</tr>
<tr>
<td>Oxalis pes-caprae</td>
<td>Soursob</td>
</tr>
<tr>
<td>Paraserianthes lophantha</td>
<td>Cape Wattle</td>
</tr>
<tr>
<td>Paspalum dilatatum</td>
<td>Paspalum</td>
</tr>
<tr>
<td>Phalaris aquatica</td>
<td>Phalaris</td>
</tr>
<tr>
<td>Physalis viscosa</td>
<td>Sticky Ground-cherry</td>
</tr>
<tr>
<td>Pinus radiata</td>
<td>Radiata Pine</td>
</tr>
<tr>
<td>Pittosporum undulatum</td>
<td>Sweet Pittosporum</td>
</tr>
<tr>
<td>Polygala myrtifolia</td>
<td>Myrtle leaf milkwort</td>
</tr>
<tr>
<td>Prunus sp.</td>
<td>Cherry</td>
</tr>
<tr>
<td>Reseda luteola</td>
<td>Weld</td>
</tr>
<tr>
<td>Ricinus communis</td>
<td>Castor Oil Plant</td>
</tr>
<tr>
<td>Rosa rubiginosa</td>
<td>Sweet Briar</td>
</tr>
<tr>
<td>Rubus fruticosus spp. agg.</td>
<td>Blackberry</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Salix babylonica s.l.</td>
<td>Weeping Willow</td>
</tr>
<tr>
<td>Salix cinerea</td>
<td>Grey Sallow</td>
</tr>
<tr>
<td>Salix fragilis</td>
<td>Crack Willow</td>
</tr>
<tr>
<td>Salix spp.</td>
<td>Willow</td>
</tr>
<tr>
<td>Salix X rubens</td>
<td>Basket Willow</td>
</tr>
<tr>
<td>Schinus molle</td>
<td>Peppercorn</td>
</tr>
<tr>
<td>Scolymus hispanicus</td>
<td>Golden Thistle</td>
</tr>
<tr>
<td>Silybum marianum</td>
<td>Variegated Thistle</td>
</tr>
<tr>
<td>Solanum linnaeanum</td>
<td>Apple of Sodom</td>
</tr>
<tr>
<td>Solanum nigrum</td>
<td>Blackberry nightshade</td>
</tr>
<tr>
<td>Stenotaphrum secundatum</td>
<td>Buffalo grass</td>
</tr>
<tr>
<td>Thinopyrum ponticum</td>
<td>Tall Wheat grass</td>
</tr>
<tr>
<td>Ulex europaeus</td>
<td>Gorse</td>
</tr>
<tr>
<td>Vinca major</td>
<td>Blue Periwinkle</td>
</tr>
<tr>
<td>Xanthium spinosum</td>
<td>Bathurst Burr</td>
</tr>
<tr>
<td>Zantedeschia aethiopica</td>
<td>White Arum Lily</td>
</tr>
</tbody>
</table>
HERITAGE OVERLAY

Shown on the planning scheme map as **HO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

**Scope**

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

**Permit requirement**

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy system attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- The construction or carrying out of the approved building or works on the land has started lawfully.
- The subdivision does not create a vacant lot.

- Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.
- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.
- Externally alter a non-contributory building.
- External painting.
- Construct a fence.
- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.
- Construct and install domestic services normal to a dwelling.
- Construct and install a non-domestic disabled access ramp.
- Construct a vehicle cross-over.
- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construct a rainwater tank.
- Construct or display a sign.
- Lop a tree.
- Construct or install a solar energy system attached to a dwelling.
- Construct and install an electric vehicle charging station.
- Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

### Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the Heritage Act 2017.

### Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
**43.01-3**  
21/11/2017  
VC141

**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.

---

**43.01-4**  
31/07/2018  
VC148

**Exemption from notice and review**

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
43.01-5
24/01/2020
VC160

**Statements of significance**

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

43.01-6
31/07/2018
VC148

**Heritage design guidelines**

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

43.01-7
31/07/2018
VC148

**Application requirements**

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-8
24/01/2020
VC160

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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>Cecil Street Heritage Precinct Cecil Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes street trees only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO2</td>
<td>Cox’s Garden Heritage Precinct Cox’s Garden, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO3</td>
<td>Dover Road and John Street Heritage Precinct 33-35 and 36-44 Dover Road and 3-37 and 4-32 John Street, Williamstown</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO4</td>
<td>Electra Street Heritage Precinct Electra Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes street trees only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO5</td>
<td>Esplanade Foreshore Heritage Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</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>
<td>------------</td>
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<td>--------------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
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<td>-----------------------------</td>
</tr>
<tr>
<td>HO6</td>
<td>Esplanade Residential Heritage Precinct 4-20 Esplanade, Williamstown</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>HO7</td>
<td>Ferguson Street Civic and Commercial Heritage Precinct Ferguson Street (part), Williamstown</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Government Survey Heritage Precinct Aitken Street, Ann Street, Cecil Street, Charles Street, Cole Street, Council Lane, Cropper Place, Electra Street, Esplanade, Ferguson Street, Giffard Street, Hamner Street, Illawarra Street, Jackson Street, Kanowna Street, Lyons Street, Melbourne Road, Morris Street, Nancy Court, Nelson Place, Osborne Street, Panama Street, Parker Street, Parramatta Street, Pasco Street, Perry Street, Railway Crescent, Railway Place, Railway Terrace, Rosseau Street, Smith Street, Thompson Street, Twyford Street, Verdon Street, Vulcan Grove and associated minor streets and lanes, Williamstown <strong>Incorporated plan:</strong> Point Gellibrand Coastal Park Master Plan – Revised July 2003</td>
<td>No</td>
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<td>Grindlay’s Estate Heritage Precinct Brown Street, Collingwood Road (part), Douglas Parade (part), Elgin Street, Grindlay Street, Home Road (part), Irving Street, North Road (part), Rupert Street and Tait Street (part), Newport</td>
<td>No</td>
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<td><strong>Halls Farm Heritage Precinct</strong>&lt;br&gt;2-52 Collingwood Road, 2-40 Tait Street, 313-353, Douglass Parade, Elphin Street, Farm Street, 48-112 Hall Street, 69-101 High Street, 14-66 and 23-81 Home Road and River Street, Newport</td>
<td>No</td>
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<td><strong>Hanmer Street Heritage Precinct</strong>&lt;br&gt;Hanmer Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes street trees only</td>
<td>No</td>
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<td>HO13</td>
<td><strong>Hannan's Farm Heritage Precinct</strong>&lt;br&gt;Castle Street, Collins Street, Esplanade (part), Gellibrand Street (part), Hannan Street, Knight Street, Osborne Street, (part), Swanson Street and Winifred Street in Williamstown</td>
<td>No</td>
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<td>HO14</td>
<td><strong>Hobsons Bay Railways Heritage Precinct</strong>&lt;br&gt;Land, buildings, landscaping and infrastructure associated with the Melbourne-Williamstown and Melbourne-Geelong railways</td>
<td>No</td>
<td>No</td>
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<td>HO15</td>
<td><strong>Housing Commission of Victoria - Champion Road Estate Heritage Precinct</strong>&lt;br&gt;Cerberus Crescent, 63-89 Champion Road, Edina Street, Gem Street, and 2-44 Park Crescent, North Williamstown</td>
<td>No</td>
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<td>Yes street trees only</td>
<td>No</td>
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<td>HO16</td>
<td><strong>Housing Commission of Victoria - West Newport Estate Heritage Precinct</strong>&lt;br&gt;16-32 Challis Street, 102-104, 124 and 103-117 Champion Road, 11-29 (south side) Croker Street, 2-28 Fowler Crescent, 134-154 Market Street and 21-23 Melrose Street, Newport.</td>
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<td>James Street Heritage Precinct 1-22 James Street, Williamstown</td>
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<td>HO18</td>
<td>Lenore Crescent Heritage Precinct Lenore Crescent, Williamstown</td>
<td>No</td>
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<td>HO19</td>
<td>Macquarie Street Heritage Precinct 1-19 and 4-18 Macquarie Street and 80-92 Stevedore Street, Williamstown</td>
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<td>HO20</td>
<td>Melbourne Road Commercial Heritage Precinct 314-344 Melbourne Road and 35 Davies Street, Williamstown</td>
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<td>HO21</td>
<td>Nelson Place Heritage Precinct 1-3 Cole Street, 125-233 Nelson Place and 1 Parker Street, Williamstown</td>
<td>Yes</td>
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<td>Yes</td>
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<td>HO22</td>
<td>Newport Civic and Commercial Heritage Precinct Hall Street (part), Mason Street (part) and Melbourne Road (part), 1 Walker Street, Newport</td>
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<td>HO23</td>
<td>Newport Estate Residential Heritage Precinct Agg Street , 15-17 Elizabeth Street, 81-93 Mason Street, 21-37 Mirls Street, 9 and 20-24 Newcastle Street, 4-14 and 1-15 Oxford Street, 5-13 Ross Street, 30-56 and 31-57 Schutt Street, 35-79 and 36-82 Speight Street, 1-23 Steele Street and 19-23 and 24-30 Walker Street, Newport</td>
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<td>Pasco Street Heritage Precinct</td>
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<td><strong>Point Gellibrand Heritage Precinct</strong>&lt;br&gt;Point Gellibrand Foreshore Area, Williamstown&lt;br&gt;Incorporated plan:&lt;br&gt;Point Gellibrand Coastal Park Master Plan - Revised July 2003</td>
<td>No</td>
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<td><strong>Private Survey Heritage Precinct</strong>&lt;br&gt;Albert Street, Alfred Place, Alma Terrace, Bath Place, Blucher Terrace, Braw Street, Bronte Court, Bunbury Street, Chandler Street, Clark Street, Clough Street, College Street, Courtis Street, Cox’s Garden, Crawford Street, Dalgarno Street, Davies Street, Douch Street, Douglas Parade (part), Dover Road, Downman Street, Effingham Road, Eliza Street, Federal Street, Ferguson Street, Franklin Street, Freyer Street, Goss Terrace, Haslam Street, Hastings Road, Henry Street, Holland Court, Hosking Street, Hotham Street, James Street, Jobson Street, John Street, Latrobe Street, Lenore Crescent, Maclean Street, Macquarie Street, Mariner Street, Melbourne Road (part), Morris Lane, Napier Street, North Road (part), Oakbank Street, Paine Street, Pearson Street, Peel Street, Pentland Street, Power Street, Princes Street, Queen Street, Rennie Street, Richard Street, Roches Terrace, Rosny Place, Russell Place, Ryans Lane, Stanley Street, Station Road, Stevedore Street, Swan Court, The Strand,</td>
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<td>Railway Crescent Heritage Precinct Railway Crescent, Williamstown</td>
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<td>Solomit or Straw Houses Heritage Precinct 169-175 Maidstone Street, Altona</td>
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<td>HO30</td>
<td>Spotswood Residential Heritage Precinct 1-23 and 6-26 George Street, 1-13 Hope Street, 2 McLister Street, 49-59 Robert Street and 35-41 The Avenue in Spotswood</td>
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<td>The Strand Heritage Precinct The Strand, Williamstown and Newport</td>
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<td>Victoria Street Heritage Precinct Victoria Street, Williamstown</td>
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<td>Williamstown Beach Heritage Precinct Esplanade (part), Forster Street, Garden Street, Gellibrand Street (part), Giffard Street (part), Langford Street, Laverton Street, Little Osborne, Osborne Street (part), Railway Crescent (part) and Stewart Streets, Williamstown</td>
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Heritage Places
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<td>HO35</td>
<td>Port Phillip Stevedore Club Hall (former) 25 Aitken Street, Williamstown</td>
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<td>Former Residence 43 Aitken Street, Williamstown</td>
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<td>‘Heathville’ 171 Aitken Street, Williamstown</td>
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<td>Washingtonia Palm and Cotton Palm Trees rear of 7 Albert Street, Williamstown</td>
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<td>Bluestone House 25 Albert Street, Williamstown</td>
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<td>Stone Pitched Road or Paved Yard Altona Road, Altona</td>
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<td>‘The Pines’ Scout Camp Altona Road, Altona</td>
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<td>Telegraph Hotel (former) 17 Ann Street, Williamstown</td>
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<td>HO44</td>
<td>Time Ball Tower (also known as Former Point Gellibrand Lighthouse) 6-18 Battery Road, Williamstown</td>
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<td>HO45</td>
<td>Altona Primary School No. 3923 Complex and Trees (poplars and sugar gums) 109 Blyth Street, Altona</td>
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<td>No</td>
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<td>Melbourne Glass Bottle Works (former) Booker Street, Spotswood</td>
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<td>Shell Oil Complex 39-81 Burleigh Street and Drake Street, Newport</td>
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<td>Six Riveted Oil Tanks (Part Shell Oil Complex) Burleigh Street, Spotswood</td>
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<td>Commonwealth Oil Refinery Company Tank Farm – NP6 and NP7 storage tanks 39-81 Burleigh Street, Spotswood</td>
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<td>Stags Head Hotel 39 Cecil Street, Williamstown</td>
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<td>St Andrews Presbyterian Church Complex</td>
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52 Cole Street, Williamstown

10-16 Davies Street, Newport

11 Cox’s Garden, Williamstown

12 Cox’s Garden, Williamstown

10-16 Davies Street, Newport

35 Davies Street, Newport

Douglas Parade, Newport

2 Booker Street, Spotswood

37-43 Douglas Parade, Williamstown

Victoria Inn
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**HOBSONS BAY PLANNING SCHEME**

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17 Elizabeth Street, Newport

HO106 Williamstown Dressing Pavilion (former) Esplanade, Williamstown

HO107 House and Fence

11 Esplanade, Williamstown

HO108 Attached Houses

12-13 Esplanade, Williamstown

HO109 ‘Ellersie’

14 Esplanade, Williamstown

HO110 Sisters of St. Joseph Convent

16 Esplanade, Williamstown

HO111 House

18 Esplanade, Williamstown

HO112 House

19 Esplanade, Williamstown

HO113 Sturgess House

23 Esplanade, Williamstown

HO114 Fearon Reserve

27 Esplanade, Williamstown

HO115 ‘Berean’

89 Esplanade, Williamstown
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### Aboriginal heritage place?

### Prohibited uses permitted?

### Included on the Victorian Heritage Register under the Heritage Act 2017?

### Outbuildings or fences not exempt under Clause 43.01-4

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<td>Williamstown Advertiser Building (former), 205 Nelson Place, Williamstown</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref No H865</td>
<td>No</td>
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<td>HO225</td>
<td>Yacht Club Hotel 207 Nelson Place, Williamstown</td>
<td>Yes</td>
<td>No</td>
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<td>HO226</td>
<td>Modern Buildings 213-215 Nelson Place, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO227</td>
<td>Residence (also known as Wilkins House (former)) 231 Nelson Place, Williamstown</td>
<td>-</td>
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<td>Yes Ref No H231</td>
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<td>HO228</td>
<td>Holy Trinity Church, Vicarage and Hall 255 Nelson Place, Williamstown</td>
<td>-</td>
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<td>Yes Ref No H1734</td>
<td>No</td>
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<td>HO229</td>
<td>Jackson Court 263 Nelson Place, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO230</td>
<td>St. Joseph’s Roman Catholic Convent and Presbytery 7-9 Newcastle Street, Newport</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO231</td>
<td>Sacred Heart Catholic Complex 20 Newcastle Street, Newport</td>
<td>Yes</td>
<td>Yes</td>
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<td>HO232</td>
<td>Newport Coffee Palace (former) 24 Newcastle Street, Newport</td>
<td>Yes</td>
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<td>Terrace 64-70 North Road, Newport</td>
<td>No</td>
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<td>House 88 North Road, Newport</td>
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<td>HO236</td>
<td>House 115 North Road, Newport</td>
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<td>Williamstown Botanical Gardens Osborne Street, Williamstown</td>
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<td>HO240</td>
<td>House and Pepper Trees 54 Osborne Street, Williamstown</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO241</td>
<td>Cotton Palm, English Oak and Lily Pilly Trees 197 Osborne Street, Williamstown</td>
<td>No</td>
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<td>Yes</td>
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<td>Williamstown Post and Telegraph Office (former)</td>
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<td>Williamstown Chronicle Office (former)</td>
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<td>Maclean Residence and Surgery (former)</td>
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<td>Shop and Residence (former)</td>
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<td>HO246</td>
<td>Shops and Residences</td>
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<td>House</td>
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<td>HO248</td>
<td>Manchester Unity Independent Order of Oddfellows Hall (former)</td>
<td>Yes</td>
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<td>Tudor House</td>
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<td>HO250</td>
<td>‘Ashton Villa’</td>
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<td>‘St. Ayles’</td>
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<td><em>Jelly Palm, Stone Pine and Oak Trees</em> 74 Pasco Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO253</td>
<td><em>Williamstown High School Complex</em> 76 Pasco Street, Williamstown</td>
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<td>HO254</td>
<td><em>House</em> 19 Pearson Street, Williamstown</td>
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<td>Yes</td>
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<td>HO255</td>
<td><em>Altona Pier</em> Pier Street and The Esplanade, Altona</td>
<td>No</td>
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<td>No</td>
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<td>HO256</td>
<td><em>Red Robin Hosiery Factory (former)</em> 119 Pier Street, Altona</td>
<td>No</td>
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<td>HO257</td>
<td><em>Cheetham Salt Works (former)</em> Point Cook Road, Laverton</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td>HO258</td>
<td><em>North Williamstown Railway Station Complex</em> Power Street, North Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO259</td>
<td><em>Bluestone Bridge over Kororoit Creek</em> Princes Highway, Brooklyn</td>
<td>No</td>
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<td>No</td>
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<td>HO260</td>
<td><em>Laverton Homestead (former)</em> 128 –155 Queen Street, Altona</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO261</td>
<td><em>Truganina Explosives Magazine Complex (former) and Trees</em> 276 Queen Street, Altona</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>No</td>
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<td>HO262</td>
<td>Williamstown Racecourse Site (former) and Canary Island Palm Tree Racecourse Road, Altona</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO263</td>
<td>House 88 Railway Crescent, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO264</td>
<td>Williamstown Beach Railway Station Railway Crescent and Railway Place, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO265</td>
<td>St Mary’s Roman Catholic School and former Church and Camphor Laurel Tree Railway Street North, Altona</td>
<td>Yes</td>
<td>Yes – church only</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO266</td>
<td>House 6 Rennie Street, Williamstown</td>
<td>No</td>
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<td>HO267</td>
<td>House 3 Rupert Street, Newport</td>
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<td>HO268</td>
<td>Altona Baptist Church 14 Sargood Street, Altona</td>
<td>No</td>
<td>Yes — church only</td>
<td>No</td>
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<td>HO269</td>
<td>Solomit or Straw House 2 Seaview Crescent, Seaholme</td>
<td>Yes</td>
<td>No</td>
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<td>House 4 Smith Street, Williamstown</td>
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<td>HO271</td>
<td>House 41 Speight Street, Newport</td>
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<td>HO272</td>
<td>‘Alcroft’ 13 Station Road, Williamstown</td>
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<td>HO273</td>
<td>Seaholme Railway Station Complex and Trees Station Street, Seaholme</td>
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<td>HO274</td>
<td>Part of McKenzie &amp; Holland Complex (former) 41-59 Stephenson Street and 9-9a Sutton Street, South Kingsville</td>
<td>No</td>
<td>No</td>
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<td>HO275</td>
<td>House 8 Stevedore Street, Williamstown</td>
<td>No</td>
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<td>HO276</td>
<td>‘Alroy’ 13 Stevedore Street, Williamstown</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO277</td>
<td>Shops (former) and Residence 46-48 Stevedore Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
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<td>Napier Hotel (former) 52 Stevedore Street, Williamstown</td>
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<td>Congregational Church (former) 57 Stevedore Street, Williamstown</td>
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<td>Salvation Army Temple 83 Stevedore Street, Williamstown</td>
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<td>Alfred Hotel (former) 92 Stevedore Street, Williamstown</td>
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<td>HO282</td>
<td>‘White House’</td>
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<td>‘Maritimo’ Fence</td>
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<td>Terrace Houses and Fence</td>
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<td>House</td>
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<td>House – formerly ‘Craigdoon’</td>
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<td>‘Tarneit’</td>
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<td>‘Dachet’</td>
<td>Yes</td>
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<td>‘Sea Gates’</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>HO292</td>
<td>‘Monomeath’</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td></td>
<td>67-68 The Strand, Williamstown</td>
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</tr>
<tr>
<td>PS Map Ref</td>
<td>Heritage Place</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>
</tr>
<tr>
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</tr>
<tr>
<td>HO293</td>
<td>‘Allambie’</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>69 The Strand, Newport</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO294</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO295</td>
<td>House</td>
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<td>No</td>
<td>No</td>
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<td>No</td>
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<td></td>
<td>75 The Strand, Newport</td>
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<tr>
<td>HO296</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<td></td>
<td>77 The Strand, Newport</td>
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<td></td>
<td></td>
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<tr>
<td>HO297</td>
<td>House</td>
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<td>No</td>
<td>No</td>
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<td>94 The Strand, Williamstown</td>
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<td></td>
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</tr>
<tr>
<td>HO299</td>
<td>Police Station, Seargeant, Watch House, Keepers quarters (former)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>8-10 Thompson Street, Williamstown</td>
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</tr>
<tr>
<td>HO300</td>
<td>Elm Trees</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
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<td>14 Thompson Street, Williamstown</td>
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<tr>
<td>HO301</td>
<td>Bridge Hotel (former)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H1792</td>
<td>No</td>
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<tr>
<td></td>
<td>72 Thompson Street, Williamstown</td>
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<td></td>
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<td></td>
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<tr>
<td>HO302</td>
<td>House</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td></td>
<td>97 Thompson Street, Williamstown</td>
<td></td>
<td></td>
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<tr>
<td>HO303</td>
<td>Commonwealth Oil Refinery Complex (former)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>32-54 Toll Drive, Altona North</td>
<td></td>
<td></td>
<td></td>
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<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>
</tr>
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<td>---------------------------------------------------------------------</td>
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<tr>
<td>HO305</td>
<td>Phaup's Beach Hotel (former) 41 Twyford Street, Williamstown</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO306</td>
<td>Norfolk Island Pines 50 Verdon Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO307</td>
<td>House 75 Verdon Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>HO308</td>
<td>'Erith' 95 Verdon Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO309</td>
<td>Wild Kaffir Plum Tree 49 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO310</td>
<td>House 51 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO311</td>
<td>Kauri Pine and Ginkgo Tree 60 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO312</td>
<td>House 80 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO313</td>
<td>Williamstown Croquet Club Pavilion 104 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO314</td>
<td>House 115 Victoria Street, Williamstown</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<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>
</tr>
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<tr>
<td>HO315</td>
<td>Rifle Club Hotel</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>121 Victoria Street, Williamstown</td>
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<td></td>
<td></td>
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<tr>
<td>HO316</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td></td>
<td>1 Yarra Street, Williamstown</td>
<td></td>
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</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>
## Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

### Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
### 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.

### Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

WESTGATE BRIDGE APPROACHES

1.0

Design objective
To ensure the adequate safety and amenity of the West Gate Bridge and its approach viaducts, motorists using the bridge and nearby properties.

2.0

Buildings and works
A permit is required for a building or works within 46 metres of the Road Zone - Category 1 between Hyde Street and Hall Street.

3.0

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The possible risk of any damage from fire both to buildings and works on the land and to structures and works constructed on the Road Zone - Category 1.
- The views of the Roads Corporation.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

BIRMINGHAM STREET AREA

1.0 Design objective
To ensure that development enhances the amenity of Melbourne Road and the residential area along Birmingham Street.

2.0 Buildings and works
All buildings and works, except those to be used for accommodation purposes, should be set back at least 20 metres from Birmingham Street.

All buildings and works should be set back at least 9 metres from Melbourne Road, except for vehicle and pedestrian access ways to Melbourne Road.

The set back area shall be landscaped and maintained in accordance with a landscaping plan approved by the responsible authority.

No vehicle access or egress driveways shall be constructed to Birmingham Street except:

- those required for emergency purposes; and
- those required for access to a residential development.

No accommodation shall be constructed so that any part of a dwelling or its private open space is within 30 metres of an industrial zone.

No tree shall be removed without the consent of the responsible authority.

3.0 Decision guidelines
Before deciding on an application the responsible authority must consider:

- The effect of the development on existing vegetation on the site.
- The proximity of any residential component to the adjoining industrial zone.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

65 NELSON PLACE, WILLIAMSTOWN

1.0

Design objectives

To provide design and development guidelines for 65 Nelson Place.

To encourage well designed medium density residential development.

To encourage development that complements the character of the heritage precinct, including form, mass and elevation treatment of the development.

To ensure that new development does not adversely affect the significance of a heritage place.

2.0

Buildings and works

- Car parking should be provided at a rate of at least one parking space per 1 bedroom apartment and 2 parking spaces per 2/3 bedroom apartment.

- The development should provide a well controlled single entry/access for vehicles on Ann Street.

- The development should provide safe pedestrian access from each street frontage. Safe access is to be provided to the car parking area.

- The development should be suitably articulated to emphasise vertical elements and separate dwellings.

- The development should ensure that overlooking is managed (both within and without the site) through careful design treatment.

- The development must ensure there is adequate management and treatment of waste disposal and pick up for each unit on site.

- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to undertake an archaeological survey and photographic record of significant relics and structures prior to commencement of the buildings and works.

- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to a specific apportionment of development contribution costs.

3.0

Decision guidelines

Before deciding on an application, the Responsible Authority must consider:-

- The compliance with the permit requirements.

- Any applicable heritage study and any applicable conservation policy.

- Whether the location, bulk, form or appearance of the proposal will adversely affect the significance of the former Royal Hotel, the Nelson Place Conservation Precinct and any heritage place.

- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the former Royal Hotel.

- Whether the proposed works will adversely affect the significance, character or appearance of the former Royal Hotel.

- Whether proposed signage will adversely affect the significance, character or appearance of the heritage place.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

FORESHORE HEIGHT LIMITATION

1.0 Design objectives

To protect and enhance the environment of the Hobsons Bay foreshore as an environmental, conservation and recreational asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development.

2.0 Buildings and works

Building Height

A permit may not be granted to construct a building or to construct or carry out works exceeding a height of two storeys.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

3.0 Decision guidelines

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

- Whether any increase in size and scale above that of surrounding buildings is to an increment that can be absorbed by the character of the neighbourhood.

- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.

- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips), pitch and eaves details of roofs that predominate in the neighbourhood.

- Whether the development integrates into the design treatment of the walls and elevations – particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.

- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.

- How the development relates the front garden and fence treatments to its surroundings.

- Whether the development builds in the dominant waterfront style with a contemporary interpretation.

- Whether the application incorporates existing building forms that contribute to a seaside character.

- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, ballustrades and gable ends.
- Whether any increase in height from an adjoining property provides a transition from the lower.
- Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and wind tunneling.
- Whether views of garages and carports from the front are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5.

NEWPORT LAKES RESIDENTIAL DEVELOPMENT

1.0

Design objectives

The design objectives for the area are:

- To minimise the visual impact of any new development to preserve the general amenity of the park, particularly the unique landscape qualities of Newport Lakes parkland which create a strong sense of enclosure, association and a feel of seclusion and removal from the surrounding urban fabric.

- To ensure that enjoyment of the public park is not diminished by overlooking from any new development.

- To respond to existing significant views from within and around the parklands.

- To ensure new development on the site that is opposite or nearby established residential areas, respects the form, scale and character of the existing residential development in those areas.

- To ensure the use and development of the site is compatible with the industry on the abutting site.

Specific Design Objectives

- To ensure that any buildings and works do not interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.

- To ensure that residents of any proposed residential development are aware that noise attenuation measures have been undertaken to minimise conflict with adjacent industrial activities.

- To ensure that any development on the site makes provision to protect residential users from noise emanating from industrial properties on the adjoining or nearby land.

- To ensure that any new residential development on the site includes appropriate acoustic or other measures to attenuate industrial noise generated by the abutting industrial property both within the residences and the external living areas.

2.0

Buildings and works

No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.

Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street.

Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the parkland.

3.0

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.

- The extent to which the significant views from within the Newport Lakes parklands are retained and enhanced.

- The landscaping treatment along parkland boundary and the extent to which it responds to the existing vegetation in the parkland.
• The proximity of any residential component to the adjoining industrial zone and use.

• Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing or other acoustic techniques.

• Whether a report from an appropriately qualified acoustic engineer indicates how the building is designed in such a way that when built, the internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1 are achieved.

• Whether a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence complies with the internal noise level implied under N-1.

• Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8.

FORESHORE HEIGHT LIMITATION - MILL LANE AND GARDEN STREET; NELSON PLACE; FERGUSON STREET BETWEEN NELSON PLACE AND THE STRAND, JAMES AND AITKEN STREETS; AND RIFLE RANGE ESTATE

1.0 Design objectives

To protect and enhance the environment of the Hobsons Bay foreshore as a environmental, conservation and recreation asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development.

2.0 Buildings and works

Building Height

A building should not be constructed or works carried to exceed the preferred maximum building height level specified in the Table to this Schedule. Any proposal to exceed the preferred maximum building height must demonstrate how the proposal achieves the design objectives and outcomes specified in this Schedule. A building must not be constructed and works must not be carried out so as to exceed the maximum building height specified in the table to the schedule.

A permit may not be granted to exceed the maximum building height specified in the table to this schedule.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Any basement, which projects above this level is classified as a storey. Basements wholly below the natural surface level are not included in the calculation of the number of storeys.

Roof and other ancillary works may exceed the maximum building height.

Table to Schedule 8

<table>
<thead>
<tr>
<th>Area</th>
<th>Preferred Maximum Building Height</th>
<th>Maximum Building Height</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDO8 (Mill Lane and Garden Street)</td>
<td>2 storeys</td>
<td>3 storeys</td>
<td>To allow for higher development similar in height to the adjoining properties without dominating the scale and setting of the street and foreshore. To express a gradual transition in scale from the adjoining properties, and to ensure that any increase in size and scale above that is an increment that can be absorbed by the character of the neighbourhood. To ensure that buildings and works adjoining heritage listed places relate to and be recessive to the listed place.</td>
</tr>
<tr>
<td>Area</td>
<td>Preferred Maximum Building Height</td>
<td>Maximum Building Height</td>
<td>Outcomes</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>To ensure that space is provided at the front and rear of the site for the planting of one substantial tree in each area. To ensure that car parking facilities are not a dominant feature when viewed from the streetscape.</td>
</tr>
</tbody>
</table>

**Decision guidelines**

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

- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.
- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips, pitch and eaves details of roofs) that predominate in the neighbourhood.
- Whether the development integrates into the design treatment of the walls and elevations—particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- How the development relates the front garden and fence treatments to its surroundings.
- Whether the development is built in the dominant waterfront style with a contemporary interpretation.
- Whether the application incorporates existing building forms that contribute to a seaside character.
- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades and gable ends.
- Whether any increase in height from an adjoining property provides a transition from the lower.
- Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual build and wind tunnelling.
- Whether views of garages and carports from the front are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.
- Whether the proposal is consistent with the principles of the Hobsons Bay Neighbourhood Character Study Build Form Guidelines Supplement Waterfront Residential Areas February 1999.
1.0 Design objectives

The design objectives for the area are:

- To encourage development of a concept plan for the whole area that promotes, cohesion between the parts, visual and physical linkages, landscaping consistent with the landscaping theme of the Newport Lakes Reserve, active frontages to external and internal street network.

- To ensure that the design and siting of buildings, including form, bulk, choice of materials and colours minimises the visual impact on the adjoining Newport Lakes Reserve.

- To encourage the layout of new development that maintains and enhances views from Mason Street to the Newport Lakes Reserve.

- To ensure that any development does not interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve.

- To ensure that any development makes provision to protect residential users from noise emanating from industrial or non-residential properties on the adjoining or nearby land.

- To ensure that the staged transition of this industrial area to residential use is managed in a manner that minimises impact on the existing/ongoing industries, Newport Lakes Reserve and the surrounding residential areas.

2.0 Buildings and works

- No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve other than a view substantially softened by landscaping.

- Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street and Mason Street.

- Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the Newport Lakes Reserve.

3.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- Whether a concept plan has been developed for the area.

- Whether the design and siting of any residential development will result in the imposition of unreasonable development constraints on the remaining industrial sites and any future residential use.

- Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.

- Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing, and if these are temporary, the approach to removing and/or replacing them.

- Whether the development complies with the minimum internal noise levels implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.
The need for safe and attractive pedestrian linkages between development sites and the Newport Lakes Reserve.

Whether the proposal is accompanied by a landscaping plan (including uniform nature-strip planting, street tree species, other landscaping features, pedestrian, cycle and vehicular pavement materials and surfaces, street furniture such as lighting, bollards and seating) and is consistent with the landscaping theme in the Newport Lakes Reserve.

Whether development proposals allow for an open visual and physical interface between residential areas and the Newport Lakes Reserve.

Whether views from Mason Street to the Newport Lakes Reserve have been enhanced by the design of proposed development.

Whether any development proposal includes measures to protect the vegetation in the Newport Lakes Reserve along the boundary.

The fencing along the Newport Lakes Reserve boundary and the extent to which it promotes visual permeability.

The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.

The volume and nature of additional vehicle movements, as quantified and assessed as part of a traffic impact assessment, and whether the impact of these on existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) is safe, and that measures have been taken to reduce impacts on safety.

Whether a Section 173 Agreement is to be entered into requiring the owner of 132-136 Mason Street, Newport to include a clause in any Contract of Sale for the land (or part of the land) and in any lease of the land (or part of the land) to the following effect:

“This land is in close proximity to nearby industrial land in Mason Street, Newport and may be affected by noise or other amenity impacts associated with the operations and activities conducted on that land. The purchaser/lessee should be aware of these industrial uses and potential amenity impacts”.

 Provision must be made for the Section 173 Agreements to sunset when the industrial sites at 100-122 Mason Street, Newport cease to be used for industrial purposes.

Whether a Section 173 Agreement is required to ensure a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence on the eastern boundary of the property 132-136 Mason Street, Newport complies with internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10.

THE FORMER CALTEX TERMINAL

Former Caltex Terminal, Blackshaws Road and Sutton Street, South Kingsville.

1.0

Plan 1

2.0

Design objectives

The design objectives for the area are:

- To encourage urban renewal which delivers increased housing affordability, diversity and density within the site.

- To create a residential area that is responsive to its context and provides a transition in character at its interfaces with existing adjoining residential areas and industrial operations.
To ensure residential development provides a reasonable level of amenity for future occupiers of the site, including but not limited to protecting future residents from the adverse impacts of industrial and traffic noise, odour, dust, vibration and the visual impact of the railway line and industrial development north-east of the railway line.

To ensure development does not unreasonably affect the amenity of adjoining residential properties.

To protect the operations of the state and nationally significant Spotswood Locomotive Maintenance Centre located to the north-east (including normal operations, upset and worst case conditions and reasonably foreseen planned future operations) from any potentially adverse effects of residential encroachment.

To encourage development which achieves site responsive high-quality architectural and urban design outcomes.

To create a new and attractive streetscape character in Blackshaws Road and Sutton Street.

To ensure that development does not adversely impact the continued operation and maintenance of the Somerton to Altona Licensed Pipeline.

To ensure that any additional social and community infrastructure required by reason of the proposed development is provided.

To minimise the number of access points from the site to Blackshaws Road.

To ensure that the development does not compromise the safe and efficient operation of Blackshaws Road and the surrounding local road network.

To ensure that driveway access to lots fronting Blackshaws Road is provided from a local road or rear lanes only.

To limit the total number of residential dwellings on the site to ensure the cumulative impact of proposed developments along Blackshaws Road and within the Newport/Williamstown peninsula does not compromise the capability of the arterial road network and particularly Melbourne Road and that there is ample opportunity to provide a high quality of residential amenity.

To include a shared pedestrian/bicycle path within the site linking the eastern corner of the development on Blackshaws Road and the north-west corner of the site at Sutton Street with the ultimate goal of extending the path to the Vernon Street neighbourhood shopping centre via Moresby Street.

To comply with the conditions relating to the urban density and construction constraints involved in the redevelopment of the site as set out in the three statements of Environmental Audit issued under the Environment Protection Act 1970 Part IXD by the environmental auditor in his reports dated October (Areas 3 & 4) and November 2011 (areas 1 & 2).

Master Plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a Master Plan has been prepared and approved to the satisfaction of the responsible authority. The purpose of the Master Plan is to guide and inform future development of the site.

The Master Plan must be generally in accordance with Plan 1 and must include:

- A detailed analysis of the features of the land and its context, including existing conditions and the conditions set out in the three statements of Environmental Audit issued for the site.

- A detailed design response, including:
  - The location of new streets within the site.
  - The location of new public open space within the site.
- Design principles for new built form within Precincts A1 and A2.
- Design principles for new built form within Precinct B.
- Design principles for new built form within Precinct C.
- The location and height of building envelopes.
- Design principles and built form measures for reasonable residential amenity and protection from sources of air emissions, noise and vibration from the railway line, nearby industry including the Spotswood Maintenance Centre and Blackshaws Road.
- The staging of development and details of an appropriate built form/sound-barrier(s) to be provided, progressively and prior to the completion of each corresponding stage of the development along the whole of the north-east boundary of the site.
- The detailed resolution of the northern interface having regard to the bicycle path, pipeline, acoustic and built form issues.
- Design principles that address neighbourhood character and integration with the streets to give effect to "***NB" on Plan 1.

- Domestic waste management principles.

- Prior to the responsible authority adopting the Master Plan, the proponent is to provide a ‘preferred concept plan’ showing proposed building envelopes including heights and indicating acoustic and vibration treatments to all buildings and facades facing the Spotswood Maintenance Centre and Blackshaws Road and to carry out a peer-reviewed assessment of potential acoustic and vibration effects and their amelioration, consistent with the requirements of clause 5.0, including the staging (if any) of development and details of an appropriate sound barrier(s) to be provided, progressively and prior to the completion of each corresponding stage of the development, along the north-east boundary of the site. The report must be prepared on the basis of, among other things, a comprehensive assessment of the activities – both worst case current and planned future activities – of the Spotswood Maintenance Centre generally in accordance with the SLR report dated 18 May 2012 and must specify the built form measures required to meet clause 5.0. This assessment is to be verified by a peer review by a specialist for the Responsible Authority.

- Any permit application must be generally in accordance with the ‘preferred concept plan’. If not, the noise and vibration assessment in the above point must be repeated and the approved Concept Plan and Master Plan revised accordingly prior to the consideration of the permit application.

- A Network Fit Assessment Report (NFA) to the satisfaction of VicRoads and the Responsible Authority which addresses:
  - Details of existing conditions surrounding the site.
  - Details of the parking demand likely to be generated by the development.
  - Details of the traffic generation characteristics of the development.
  - Proposed access arrangements for the site.
  - The impact of the development on the existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) including reference to safety.
  - Details of whether any works or upgrades will be required as a result of the development.
  - Timing and construction responsibility of any required works and upgrades.
  - The NFA is to take into account the cumulative impact of other possible/proposed developments along Blackshaws Road and on the Newport and Williamstown Peninsula on the arterial road network particularly Melbourne Road.
A report which provides an assessment of the adequacy of existing social and community infrastructure, and details any additional social infrastructure or affordable housing to be provided.

A report which provides an assessment of the adequacy of physical infrastructure (water supply, sewerage, electricity supply, gas supply, stormwater drainage, telecommunications and road infrastructure) and any necessary amelioration or upgrading required as a result of the proposed development, which must include:

- Details of the existing infrastructure capacity.
- Details of the impacts the proposed development will have on existing infrastructure.
- Identification of any upgrades required.
- Timing and construction responsibility of any required works and upgrades.
- Details of facilities to be installed as part of water sensitive urban design to ensure that the capacity of the existing or upgraded stormwater systems within the surrounding area are not exceeded in respect of the volumetric capacity or water quality parameters as a consequence of the urban development to be implemented.

The impact of the proposed development during construction and post-construction on the Somerton to Altona Licensed Pipeline, in the context of a pipeline risk assessment, and any measures required to ensure its ongoing maintenance and operation.

A landscaping and public infrastructure plan, including details of street lighting and furniture and bicycle and footpaths.

A report which certifies that the proposed development is consistent with any statements of environmental audit which relate to the site and demonstrates compliance with the conditions set out in the statements of Environmental Audit.

A report identifying the Environmentally Sustainable Design (ESD) features of the proposed development.

The Master Plan may be amended at any time upon application to, and the satisfaction of, the responsible authority provided it complies with the requirements of this clause.

**Notice of application for approval of Master Plan**

The responsible authority must give notice of an application for approval of a Master Plan, or approval of an amendment of an approved Master Plan, submitted to it under this overlay to:

- the licensee and operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline), Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005;
- owners of properties fronting Blackshaws Road between Schutt Street and Johnston Street, Newport;
- owners of properties fronting Sutton Street South Kingsville;
- the owner and operator of the Spotswood Locomotive Maintenance Centre;
- The owner and operator of the adjacent freight railway line; and,
- VicRoads.

The responsible authority must, prior to approving any Master Plan (or amendment of a Master Plan), consider any written responses, provided that such responses are received within 21 days after service of such notice.
Agreement under s 173 of the Act

The responsible authority must not approve a Master Plan until an agreement, made under s 173 of the Act, has been recorded on the titles of the land contained within the area the subject of this schedule under which the owner of that land is required to:

- provide, or pay for, works services or facilities that the responsible authority considers on, or to, the land or other land as a result of the approval of the Master Plan.
- give notice of any relevant statement of environmental audit to prospective purchasers of all, or any part, of that land.
- include a statement to the following effect and require the owner include such statement in any contract of sale for any part of the land.

“This land is in close proximity to nearby industrial land in Sutton Street, South Kingsville and the State and nationally significant Spotswood Locomotive Maintenance Centre located to the north east. Consequentially, the land may be affected by noise or other amenity impacts associated with the operations and activities conducted in those areas. The purchaser should be aware of these industrial uses and potential amenity impacts.”

Provision must be made for this aspect of the Section 173 Agreement to end when the industrial use of each of the above sites ceases.

The Section 173 Agreement once executed must be registered on the title of the land contained within the area the subject of this schedule pursuant to section 181 of the Planning and Environment Act 1987.

Buildings and works

Buildings and works must be generally in accordance with the approved Master Plan.

A permit must not be granted for buildings and works not generally in accordance with the requirements of this schedule.

Noise and Vibration Attenuation

Any development that will accommodate residential or other noise-sensitive uses must be designed and constructed to include noise attenuation measures. These noise attenuation measures must ensure that:

- Industrial noise received at new residential or other noise-sensitive uses complies with the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 (SEPP N-1). Where the nature of the development is such that it is not practical or reasonable to undertake an outdoor measurement of the industrial noise level, the measurement point for a noise sensitive area must be indoors in accordance with SEPP N-1 Schedule A1, 4. The indoor adjustment (Schedule A2, 4, (d)) should not be greater than 15 dB. The assessment of noise emanating from the Spotswood Maintenance Centre must include a comprehensive assessment of the activities – both current and reasonably foreseen planned future activities (and address worst case and upset conditions) – of the Spotswood Maintenance Centre generally in accordance with the SLR report dated 18 May 2012.

- Train airborne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 55 dBA, Lmax in bedrooms and a noise level of 60 dBA, Lmax in living areas. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed. The measurements should be undertaken using a ‘fast’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed).

- Train ground borne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 35 dBA, Lmax, slow, in bedrooms and 40 dBA, Lmax, slow, in living areas. These noise levels are to be measured internally near the centre of habitable rooms.
The measurements should be undertaken using a ‘slow’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed). This assessment of train ground borne noise is only to be applied for new residential or other noise sensitive uses where train ground borne noise is the dominant source of noise (i.e. higher than the train airborne noise).

- Road traffic noise received at new residential or other noise sensitive uses is attenuated to achieve the recommended design sound levels provided in Australian / New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed.

- Truck pass-by noise received at new residential or other noise sensitive uses is attenuated to achieve an internal maximum noise level of 55 dB A Lmax, in bedrooms, during the night. These noise levels are to be measured internally near the centre of the room, with the doors, windows and ventilation closed.

Any development that will accommodate residential or other vibration-sensitive uses must be designed and constructed to include vibration attenuation measures. These vibration attenuation measures must ensure that:

- Train vibration received at new residential or other vibration-sensitive uses complies with the requirements of Table 2, Annex A of Australian Standard AS2670.2-1990 Evaluation of human exposure to whole-body vibration, Part 2: Continuous and shock-induced vibration in buildings (1 to 80 Hz). Train vibration received at new residential or other vibration-sensitive uses should comply with the combined direction Curve 20, adjusted by the number of events ‘trade-off’ given by Note 5 to the Table based on the number of railway movements, but not in any case, lower than Curve 4. Train vibration is to be measured between 4–80 Hz using an accelerometer fixed to the floor near the centre of any habitable room.

The responsible authority must include in any permit granted a condition in the following terms:

“Prior to the occupation of any building, a report prepared by a suitably qualified acoustic and vibration consultant which certifies compliance with the noise and vibration attenuation criteria set out in clause 5.0 of Schedule 10 to the Design and Development Overlay must be provided to the satisfaction of the responsible authority.”

**Subdivision**

A permit must not be granted to allow a subdivision which is not generally in accordance with the approved Master Plan.

**Notice of permit application**

In accordance with section 52(1)(c) of the Act, notice of an application for a permit under this overlay must be given to the:

- licensee and operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline), Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005; and

- owner and operator of the Spotswood Locomotive Maintenance Centre.

**Decision guidelines**

Before deciding on an application for a permit, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The design objectives in Clause 2.0 of this schedule.

- Whether the proposal complies with the approved Master Plan required in Clause 3.0 of this schedule.
The Guidelines for Higher Density Residential Development and clauses 55.02-1 and 55.02-5 of the scheme.

Improved Housing Choices for Residents on Low Incomes (Affordable Housing) Policy Statement (8 February 2011, as amended from time to time).

Preparing Social Impact Assessments Applicant Guidelines (22 March 2011, as amended from time to time).
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

PRECINCT 20 - FORMER PORT PHILLIP WOOLLEN MILLS AND SURROUNDS

Design and Development Plan

Map 1 – Precinct 20 – Former Port Phillip Woollen Mills and Surrounds – Design and Development Plan
2.0 Design Objectives

- To encourage comprehensive urban renewal which delivers increased housing diversity, affordability and density within Williamstown.
- To create a residential area which is contemporary in design and provides a transition from surrounding 19th Century residential areas.
- To encourage development which achieves high quality urban design outcomes through provision of buildings of architectural excellence located in pleasant street environments.
- To recognise the historic, environmental, conservation and recreation significance of the area.
- To protect state-significant operations of the Williamstown Shipyards Site, the Gellibrand Tank Farm and the Port of Melbourne.
- To preserve the foreshore reserve and significant public open spaces including the Point Gellibrand Coastal Heritage Park.
- To maintain and enhance key views and vistas.
- To ensure that the height, scale, bulk and setback of new development is respectful of the context of the area.
- To ensure that any buildings that are used for residential and other noise sensitive uses are appropriately designed with noise attenuation measures.
- To encourage adaptive re-use of heritage buildings.
- To discourage development in the WorkSafe Planning Advisory Areas that attract or accommodates significant numbers of people and which cannot respond to an emergency.

3.0 Buildings and works

A permit is required to construct a building or to construct or carry out works.

Buildings and works must be in accordance with this schedule.

4.0 Building Height

No permit may be granted to allow a building that exceeds the applicable maximum building height specified in the Table to this schedule.

The height of a building or works is the height measured at its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

5.0 Noise Attenuation

Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control.

6.0 Notice and review provisions

An application to construct a building or construct or carry out works that is generally in accordance with the provisions of this Schedule is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Before deciding on an application, the Responsible Authority should seek the views of the following:
- the owner and occupier of the Williamstown Shipyards Site;
- the owner and occupier of the Gellibrand Tank Farm;
• the Port of Melbourne Corporation;
• Work Safe Victoria;
• the EPA; and
• owners and occupiers of adjoining/abutting land.

**Application Requirements**

An application must be accompanied by the following (as necessary):

• A detailed Urban Context analysis of the features of the land and its strategic planning context within metropolitan Melbourne and Williamstown.

• A Site Analysis report which demonstrates how the proposed buildings or works achieve each design objective or Built Form outcomes of the Table to this schedule.

• Plan(s) which provide:
  - Details of heights, setbacks, off-sets between buildings, pedestrian entry points and frontages of all buildings;
  - Areas of new public realm and streets;
  - Visual analysis of the proposed development;
  - Shadow diagrams between 9am and 3pm 22 September;
  - Indicative staging plan; and
  - Evidence that parking is provided within the site boundary or adjacent road of each site.

• Specifications for development within the WorkSafe Planning Outer Advisory Area which detail measures to ensure the buildings can withstand overpressures of up to 6kPa.

• A Wind Report detailing potential impacts of the development on the public realm.

• An assessment of the impact of the development on the Cultural Heritage Significance including an archaeology assessment to determine the potential for archaeological significance of the site and surrounds.

• A report identifying the Environmentally Sustainable Design (ESD) features of the development.

• A Landscape Concept Plan showing public and private realm landscaping.

• An Integrated Transport Plan including a Green Travel Plan in accordance with clause 52.36. The Plan must include a traffic impact analysis and a parking supply analysis.

• An Infrastructure Services Report (including utilities, road and community services) identifying the improvements which are required to be made to the site and surrounding area.

• A Construction Management Plan.

• An Acoustic Report.

• An Emergency Evacuation Plan prepared in consultation with Council, Mobil, BAE, the Port of Melbourne Corporation and relevant emergency services agencies.

• A Coastal Hazard Vulnerability Assessment.

**Decision guidelines**

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

• Whether development is consistent with the design objectives and outcomes for each precinct as identified in the Table to this schedule.

• Whether the development displays excellence in architecture, design and built form.
- Whether the design enhances the public realm, maintains a human scale at the street edge and allows sunlight penetration to public and private spaces.
- Whether car parking areas are screened from view.
- Whether the development addresses the heritage objectives and policies of Clause 22.01.
- Whether the development incorporates appropriate noise attenuation measures.
- Whether the buildings located within the WorkSafe Outer Planning Advisory Area can withstand overpressures of up to 6kPa.
- The views of the parties listed in Clause 6 of this schedule.

### Table to Schedule

<table>
<thead>
<tr>
<th>Map area (refer to map 1)</th>
<th>Maximum building height</th>
<th>Built form outcomes</th>
</tr>
</thead>
</table>
| **A – LOCAL STREETSCAPES** | 10 metres               | Development which responds to the predominant streetscape and built form character of Cecil and Ann Streets.  
A two storey street edge (up to 7 metres) on Cecil Street with recessed upper levels.  
A three storey street edge (10 metres) on Ann Street.  
Dwellings to have a frontage to Cecil and Ann Streets.  
Vehicle access from the rear of the site consistent with the existing dwellings on Cecil and Ann Streets. |
| *(Orange)*                 |                         |                     |
| **B – AITKEN CORRIDOR**    | 13 metres               | Development which provides an appropriate scale to the street edge along Aitken Street.  
A three storey street edge (up to 10 metres) with recessed upper levels setback 5 metres from the street.  
Development which provides an appropriate interface and sufficient setbacks to the existing residential area to the south. |
| *(Pink)*                   |                         |                     |
| **C – URBAN EDGES**        | 13 metres               | A hard urban edge to Nelson Place and Kanowna Street.  
A predominant building height of 10 metres up to a maximum of 13 metres to allow for varying façade and roof forms.  
Appropriate regard to the heritage characteristics of the former hotel on the corner of Kanowna and Aitken Streets.  
Dwellings which have a direct street address with pedestrian access at street level.  
Lower density residential development within the Planning Outer Advisory Area.  
Buildings in the WorkSafe Outer Planning Advisory Area that can withstand overpressures of up to 6kPa. |
| *(Purple)*                 |                         |                     |
| **D – NELSON/ANN CORNER**  | 19 metres               | A prominent building which provides emphasis to the corner of Nelson Place and Ann Street.  
A building which incorporates innovative façade articulation and limited sheer walls. |
| *(Blue)*                   |                         |                     |
| **E – CENTRAL**            | 25 metres               | Higher development relative to the adjoining properties which does not dominate the scale and setting of the street and foreshore.  
Development which provides an appropriate scale to the street edge along Aitken Street.  
Buildings which are located outside the WorkSafe Planning Advisory Areas.  
Buildings which are oriented to the north to take advantage of the views and vistas of the Port Phillip Bay and City skyline. |
<p>| <em>(Green)</em>                  |                         |                     |</p>
<table>
<thead>
<tr>
<th>Map area (refer to map 1)</th>
<th>Maximum building height</th>
<th>Built form outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>STREET SYSTEM</td>
<td>N/A</td>
<td>A new east-west road between Ann and Kanowna Street located approximately 35 metres south of Nelson Place.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A new north-south road located approximately 35 metres east of Ann Street.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A new north-south road which is an extension to the north of Windsor Terrace up to Nelson Place.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Streets and accessways which are landscaped and provide through public access.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A landscaped edge along Nelson Place to complement the established boulevard trees on the north side of Nelson Place.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public landscaping along the east side of Ann Street to complement the existing landscaping on the west side of Ann Street.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pedestrian footpaths and street landscaping on both side of Aitken Street.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Central vehicle access points with limited individual access points directly from the street.</td>
</tr>
<tr>
<td>PEDESTRIAN ACTIVITY/ MEETING POINT</td>
<td>N/A</td>
<td>Formalised pedestrian meeting points though the provision of street furniture, public art, weather protection and public realm improvements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Development which provides active frontage and commercial opportunity to corners.</td>
</tr>
</tbody>
</table>
SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13.

PART PRECINCT 9 - LAND FRONTING MILLERS ROAD, 24-42 CABOT DRIVE AND 290-298 MILLERS ROAD, ALTONA NORTH

1.0 Design objectives

To ensure that the scale, bulk, setback and appearance of new development is compatible with the preferred character of the site and surrounding area and protects the amenity of abutting residential areas.

To encourage the development of buildings and public areas which provide for high quality, integrated urban design outcomes, recognising the site as an important gateway to Altona North.

To ensure that landscape treatments are consistent and compliment the preferred character of the site and surrounding area and enhance public areas.

To ensure best practice environmentally sustainable development principles are incorporated in the development of the precinct.

To provide for a coordinated, safe, pleasant and functional pedestrian, cyclist and vehicle environment to and from, as well as within, the site.

2.0 Buildings and works

Buildings and works should achieve the performance measures listed below as well as the requirements of Map 1 within this schedule.

Site Layout

The layout of the site should:

- Avoid large expanses of car parking interfacing Millers Road, Chambers Road and Cabot Drive.
- Provide a pedestrian link from Millers Road through to Chambers Road (for that part of the precinct north of Cabot Drive).
- Provide for integrated public space on the site, including the provision of a plaza connecting to retail uses, public seating and a pedestrian link, with a minimum width of 6.5 metres between buildings, that connects the bus stop to the site.
- Provide a shared path measuring 2.5 metres along the Chambers Road frontage and along the north and south sides of Cabot Drive.
- Provide footpaths along Ross Road, Chambers Road and Millers Road to the satisfaction of the Responsible Authority.
- Provide loading and service areas to the rear or side of buildings and, where possible, away from abutting residential areas.
- Provide open spaces with good lighting, informal surveillance and weather protection.

Buildings

Buildings on site should:

- avoid expanses of blank walls interfacing Millers Road, Chambers Road and all onsite public areas.
- provide a transition in building scale where development interfaces residential areas.
- minimise overlooking into secluded open space and habitable room windows in residential areas where possible.
- provide built form setbacks of 6.0 metres from Cabot Drive.
Landscaping

Landscaping on site should:

- soften built form along site frontages.
- provide for a consistent landscape theme.

A landscape setback should be provided measuring:

- 9.0 metres from Millers Road
- 4.5 metres from Cabot Drive
- 4.5 metres from Chambers Road
- 7.0 metres from north property boundary shared with residential properties
- 4.5 metres from north property boundary shared with non-residential property

Application Requirements

An application must be accompanied by the following:

- A landscape plan showing both public and private areas including the setbacks and retention of trees where appropriate.
- Traffic design plans that demonstrate vehicle access, movement and, as far as is practical, the separation of freight and delivery vehicles and customer vehicles.
- MUSIC and SDS assessments which indicate how the proposal incorporates Environmentally Sustainable Design principles.

Subdivision

None specified.

Advertising signs

None specified.

Decision guidelines

Before deciding to approve or amend a planning permit application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Design Objectives within the schedule.
- The requirements within this schedule, including those within Map 1.
- How the proposal addresses and is compatible with identified features and constraints of the site and the nearby area.
- Whether the proposed development encourages activation of Millers Road.
- The architectural form and detail of proposed buildings including materials, finishes and colours and whether it will make a positive contribution, particularly on prominent corners.
- Whether the proposed development incorporates adequate building articulation and required setbacks to deliver a high quality architectural built form.
- The amenity impacts of proposed development adjacent to residential areas.
- Whether the development achieves quality public spaces and good connectivity within the site that create a sense of place.
- Whether appropriate passive surveillance of public spaces is achieved through building design and placement.
- Whether the layout provides for safe access to and from the site through improvements to pedestrian, bicycle and vehicular connectivity.
- The effect of the development on existing vegetation on the site.
- Whether the landscaping appropriately integrates with the site and surrounding land uses.
- The extent to which best practice environmentally sustainable development principles have been incorporated in the development of the precinct.
SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

**LAND AT 222-238 AND 240-258 KOROROIT CREEK ROAD, WILLIAMSTOWN NORTH**

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**Design objectives**

To facilitate residential development that achieves a high quality architectural and urban design outcome.

To ensure that the height, scale, bulk, form, setback and appearance of new development responds to the preferred character of the setting.

To create attractive frontages to Kororoit Creek Road and Hygeia Avenue that reinforce the street pattern and assist in demarcating the urban gateway and residential edge.

To minimise the number of access points from the site to Kororoit Creek Road.
To connect vehicular and pedestrian access within the site and to the surrounding area.  
To allow for medium density residential development that transitions to existing residential areas.  
To manage the risk associated with possible sea level rise.  
To provide an appropriate interface with the adjoining drainage channel.

2.0  
Buildings and works  
The form and scale of development facing Kororoit Creek Road and Hygeia Avenue should be designed to achieve a strong streetscape address and integrate successfully into the existing street pattern in terms of frontage, setback, entries and forms.  
Car parking must not be visually obtrusive and should not dominate the proposal.  
The proposed site layout must provide vehicular and pedestrian linkages with Kororoit Creek Road, Hygeia Avenue and existing and future streets within the area.  
Buildings must be appropriately designed to mitigate risks associated with possible sea level rise.

3.0  
Decision guidelines  
Before deciding on an application the responsible authority must consider:
  • The design and materials of the development to ensure a high quality architectural outcome is achieved and sits comfortably in the existing neighbourhood context.
  • The impacts of development on abutting residential development.
  • Finished floor levels required to protect buildings from the impacts of possible sea level rises.
  • The interface of the development with the abutting drainage channel.
  • Vehicular and pedestrian integration of the development with the broader neighbourhood.
SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO15.

WEST GATE TUNNEL PROJECT – TUNNEL PROTECTION AREA 1

1.0 Design objectives

- To avoid direct contact with and to provide a safe working clearance around the West Gate Tunnel.
- To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or West Gate Tunnel.
- To avoid Loading onto the West Gate Tunnel that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the West Gate Tunnel to the detriment of freeway operations.
- To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage to the West Gate Tunnel.
- To prevent development and construction methods that could generate unacceptable levels of vibration in the West Gate Tunnel.
- To ensure that development of land does not rely upon direct structural support from the West Gate Tunnel unless specifically envisaged in the West Gate Tunnel design.
- To ensure that the potential effects of development on the West Gate Tunnel, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *West Gate Tunnel Project Incorporated Document, December 2017*.
- **West Gate Tunnel** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 8 March 2018 as supplied by the relevant referral authority.

2.0 Buildings and works

A permit is not required under this schedule for:

- A new building of up to five storeys in height without a basement provided any footing is founded no more than three metres below Surface Level.
- A temporary structure of no more than five storeys.
- Excavation works where the depth of excavation is not more than three metres below Surface Level.
- A pole, sign or retaining wall provided any footing is founded no more than three metres below Surface Level.
- An underground utility provided any trench is no more than three metres below Surface Level.
- Earthworks that do not build up the ground level by more than three metres above Surface Level.
Buildings and works associated with the construction, operation, maintenance or repair of the Project or the West Gate Tunnel.

Application requirements
An application must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads and infrastructure.
  - Relevant ground levels and Surface Levels to AHD
  - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling.
  - The location and use of all existing and proposed buildings.

- Sections and elevations drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The depth of any basements.
  - The proposed foundations, including their form, founding levels and loads.
  - The details of any proposed drainage system, including any discharge outlet.

- Details relating to the staging of development and the likely timing of each stage.

- Either of the following:
  - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
  - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

Referral of applications
An application must be referred under section 55 of the Act to the person or body specified as the referral authority in the Schedule to Clause 66.04.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

3.0
Subdivision
A permit is not required to subdivide land.

4.0
Advertising signs
None specified.

5.0
Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:
- The views of the relevant referral authority.
- Any technical guidelines prepared by the relevant referral authority.
- The design objectives of this schedule.
SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO16.

WEST GATE TUNNEL PROJECT – TUNNEL PROTECTION AREA 2

1.0 Design objectives

- To avoid direct contact with and to provide a safe working clearance around the West Gate Tunnel.
- To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or West Gate Tunnel.
- To avoid Loading onto the West Gate Tunnel that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the West Gate Tunnel to the detriment of freeway operations.
- To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage to the West Gate Tunnel.
- To prevent development and construction methods that could generate unacceptable levels of vibration in the West Gate Tunnel.
- To ensure that development of land does not rely upon direct structural support from the West Gate Tunnel unless specifically envisaged in the West Gate Tunnel design.
- To ensure that the potential effects of development on the West Gate Tunnel, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *West Gate Tunnel Project Incorporated Document, December 2017.*
- **West Gate Tunnel** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 8 March 2018 as supplied by the relevant referral authority.

2.0 Buildings and works

A permit is not required under this schedule for buildings and works associated with the construction, operation, maintenance or repair of the Project or the West Gate Tunnel.

Application requirements

An application must be accompanied by the following information, as appropriate:

- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads and infrastructure.
  - Relevant ground levels and Surface Levels to AHD
  - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling.
  - The location and use of all existing and proposed buildings.
• Sections and elevations drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The depth of any basements.
  - The proposed foundations, including their form, founding levels and loads.
  - The details of any proposed drainage system, including any discharge outlet.

• Details relating to the staging of development and the likely timing of each stage.

• Either of the following:
  - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
  - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

**Referral of applications**

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in the Schedule to Clause 66.04.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**3.0**

**Subdivision**

A permit is not required to subdivide land.

**4.0**

**Advertising signs**

None specified.

**5.0**

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

• The views of the relevant referral authority.

• Any technical guidelines prepared by the relevant referral authority.

• The design objectives of this schedule.
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.

This schedule applies to land generally known as:

- 430-436 Blackshaws Road, Altona North

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been approved for:

- Any buildings or works associated with the remediation of land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the Environment Protection Act 1970.
- Subdivision.
- Creation, variation or removal of easements or restrictions.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the preparation of a Development Plan and future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0 of this Schedule, a permit must contain the following conditions:

- A construction management strategy must be submitted to and approved by the Responsible Authority which
  - Details measures to be implemented to minimise adverse impacts during the development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for canopy trees to be retained on the land.
  - Shows the location of site offices, off-street vehicle parking for construction vehicles and employees.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details of the hours of construction on the site.
- All works conducted on the land must be in accordance with the approved construction management strategy.

3.0 Requirements for development plan

In preparing a development plan or an amendment to a development plan, the following should be achieved:

- Where residential uses are proposed, a range of dwelling types, as appropriate, to cater for a variety of housing needs.
- Sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Variation to building forms across the site.
- Internal amenity for future residents.
- Protection of the amenity of adjoining sites by providing for a maximum of 2 storey built form adjacent to or opposite any existing single or double storey residential development.
- Graduation of taller buildings across the balance of the site with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- A positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.
- Where provided, locate open space adjacent to existing or proposed pedestrian/cycle pathways.
- Retention of vegetation where appropriate.

**Development plan components**

The development plan must be prepared in consultation with the Roads Corporation and include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, existing canopy trees, vegetation and development and social infrastructure.

- Concept plans for the layout of the site which show:
  - Identification of sensitive interface areas.
  - The type and location of proposed uses on the site.
  - Proposed lot and road layout, new building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space.
  - Stormwater and drainage management treatments including any water sensitive design, or integrated water management elements.
  - Three dimensional building envelope plans including indicative building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
  - An indicative development schedule including the number, type and density of dwellings and the floor area of any proposed non-residential uses.
  - Where non-residential uses are proposed, details of the nature of the proposed use.

- A traffic management report and car parking plan, which identifies:
  - Roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures.
  - Location of and linkages to public transport.
  - Car parking rates for all uses, including visitor parking.
  - Provision for bicycle facilities.
- Proposed staging plan (if relevant).
  
  - An arboricultural assessment of any significant vegetation on the land, including advice on the long-term health and retention value of such vegetation.
  
  - A landscape plan for the site, including principles and guidelines.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular Development Plan or part of a Development Plan.
LAND MANAGEMENT OVERLAYS
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 THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

1.0

Permit requirement

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>
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<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.

## Class of application

<table>
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<tr>
<th>Information requirements and decision guidelines</th>
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Any of the following classes of subdivision:

- 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.
- 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 is approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - The construction or carrying out of the approved building or works on the land has started lawfully.
  - The subdivision does not create a vacant lot.

## Application requirements

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

## Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
Exemption from notice and review
An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications
An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0 Permit requirement

None Specified
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 or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
## SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>Vic Roads</td>
<td>Road</td>
</tr>
<tr>
<td>PAO2</td>
<td>Hobsons Bay City Council</td>
<td>Municipal purposes</td>
</tr>
</tbody>
</table>
ENVIRONMENTAL AUDIT OVERLAY

Shown on the planning scheme map as **EAO**.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

**Requirement**

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or

- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.
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 CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**.

**FORMER PORT PHILLIP WOOLLEN MILL DEVELOPMENT CONTRIBUTIONS PLAN**

1.0

Area covered by this development contributions plan

Land shown as DCPO1 on Map 19DCPO and referred to as the former Port Phillip Woollen Mills, Williamstown.

2.0

Summary of costs

A summary of all costs is shown in Table 1 below.

Table 1 – Summary of DCP costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Facilities</td>
<td>$13,790,000</td>
<td>2015-2025</td>
<td>$719,968</td>
<td>5.2%</td>
</tr>
<tr>
<td>Drainage</td>
<td>$3,900,655</td>
<td>2015-2025</td>
<td>$1,104,144</td>
<td>28.3%</td>
</tr>
<tr>
<td>Roads</td>
<td>$500,000</td>
<td>2015-2025</td>
<td>$9,680</td>
<td>1.9%</td>
</tr>
<tr>
<td>Public Realm</td>
<td>$1,105,000</td>
<td>2015-2025</td>
<td>$131,120</td>
<td>11.9%</td>
</tr>
<tr>
<td>Planning</td>
<td>$10,000</td>
<td>2015-2016</td>
<td>$10,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$19,305,655</td>
<td>2015-2025</td>
<td>$1,974,912</td>
<td>10.2%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

The development contributions that apply are shown in Table 2.

The development contribution rates have been calculated for prices at 1 July 2015 and are expressed in 2015 dollar values and exclude GST. The development contributions rates are adjusted annually on 1 July each year to reflect movements in the consumer price index (CPI).

Table 2: Levies payable per dwelling

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td>Community</td>
<td>-</td>
</tr>
<tr>
<td>facilities</td>
<td>-</td>
</tr>
<tr>
<td>Drainage</td>
<td>$1,380.18</td>
</tr>
<tr>
<td>Roads/paths</td>
<td>$12.10</td>
</tr>
<tr>
<td>Public realm</td>
<td>$163.90</td>
</tr>
<tr>
<td>Planning</td>
<td>$12.50</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,568.68</td>
</tr>
</tbody>
</table>

*Levies payable by the development is specified per dwelling.*
The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0

Land or development excluded from development contributions plan

- Exemptions from payment of development contributions apply in the following circumstances:
  - Non-residential use and development.
  - The carrying out of building or works associated with an existing dwelling including the replacement of a dwelling.
  - Reinstatement of a building which has been unintentionally damaged or destroyed. The exemption relates only to the extent that the number of dwellings to be replaced is not greater than the damaged or destroyed building.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Former Port Phillip Woollen Mill Development Contributions Plan 2015-25. Refer to the incorporated development contributions plan for full details.
ALTONA NORTH DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan
The land is generally bordered by Kyle Road, Blackshaws Road, New Street, the West Gate Freeway and Brooklyn Terminal Sub-station, in Altona North and South Kingsville.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Projects</td>
<td>$27,991,536</td>
<td>Refer to details in the Altona North Development Contributions Plan.</td>
<td>$27,991,536</td>
<td>100.0%</td>
</tr>
<tr>
<td>Intersection Projects</td>
<td>$13,619,697</td>
<td>Refer to details in the Altona North Development Contributions Plan.</td>
<td>$13,619,697</td>
<td>100.0%</td>
</tr>
<tr>
<td>Shared Path &amp; Amenity Projects</td>
<td>$282,730</td>
<td>Refer to details in the Altona North Development Contributions Plan.</td>
<td>$282,730</td>
<td>100.0%</td>
</tr>
<tr>
<td>Community Building Projects</td>
<td>$6,526,855</td>
<td>Refer to details in the Altona North Development Contributions Plan.</td>
<td>$6,526,855</td>
<td>100.0%</td>
</tr>
<tr>
<td>Sporting Reserve Projects</td>
<td>$5,671,333</td>
<td>Refer to details in the Altona North Development Contributions Plan.</td>
<td>$5,671,333</td>
<td>100.0%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$54,092,151</td>
<td></td>
<td>$54,092,151</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development infrastructure MCA 1 (Residential) per dwelling</th>
<th>Development infrastructure MCA 2 (Retail) per m² gross leasable floor space</th>
<th>Development infrastructure MCA 2 (Commercial) per m² gross leasable floor space</th>
<th>Community infrastructure Residential, per dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Projects</td>
<td>$6,994.39</td>
<td>$867.30</td>
<td>$223.82</td>
<td>N/A</td>
</tr>
<tr>
<td>Intersection Projects</td>
<td>$3,403.22</td>
<td>$422.00</td>
<td>$108.90</td>
<td>N/A</td>
</tr>
<tr>
<td>Shared Path &amp; Amenity Projects</td>
<td>$70.65</td>
<td>$8.76</td>
<td>$2.26</td>
<td>N/A</td>
</tr>
<tr>
<td>Community Building Projects</td>
<td>$2,175.62</td>
<td>$0.00</td>
<td>$0.00</td>
<td>N/A</td>
</tr>
<tr>
<td>Sporting Reserve Projects</td>
<td>$1,170.40</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$720.05</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$13,814.27</td>
<td>$1,298.06</td>
<td>$334.98</td>
<td>$720.05</td>
</tr>
</tbody>
</table>
Indexation

Capital costs of infrastructure items (except land), will be indexed quarterly as follows:

- Roads and intersections will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Road and Bridge Construction Index, Victoria.
- All other infrastructure items will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Non-Residential Construction Index, Victoria.

Land or development excluded from development contributions plan

The extension of a building or works associated with an established use in the area at the date of approval, providing the extension results in no more than a 50% increase in the floor area of the building or works as compared to the floor area at the date of approval.

Development of land for a non-government school. In this provision, “non-government school” has the same meaning as in section 1.1.3 of the Education and Training Reform Act 2006.

Development of land by the municipal council for the area.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
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>Land in Williamstown and Altona as specified in the incorporated document.</td>
<td>Construction and extension of one dwelling on a lot between 300m² and 500m², 1 May 2014</td>
</tr>
<tr>
<td>Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Hobsons Bay.</td>
<td>M1 Redevelopment Project, October 2006</td>
</tr>
<tr>
<td>Land in the Geelong and Melbourne statutory railway line between Laverton Junction and Laverton Station.</td>
<td>Laverton Rail Upgrade Project, September 2008</td>
</tr>
<tr>
<td>Land at 196 – 200 Hall Street, Spotswood.</td>
<td>Medical Centre and pharmacy at 196 – 200 Hall Street, Spotswood, July 2010.</td>
</tr>
<tr>
<td>Land required for the Outer Suburban Arterial Roads Program – Western Package as shown on the project area maps in the incorporated document.</td>
<td>Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017</td>
</tr>
<tr>
<td>Land required for the Kororoit Creek Road, Williamstown North Level Crossing Removal Project as shown on the project area maps in the incorporated document.</td>
<td>Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017.</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>Must be the only dependent person’s unit on the lot.</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 dwelling on the lot.</td>
</tr>
<tr>
<td>Display home centre</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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>
<th>None specified</th>
</tr>
</thead>
</table>

WILLIAMSTOWN SHIPYARD SITE STRATEGY PLAN

Scope

To ensure consistency between this planning scheme and the Williamstown Shipyard Site Strategy Plan pursuant to the requirements of Part 3D of the *Planning and Environment Act 1987*. 
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.
<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots 196 and 197 on PS011502 and further being described in Certificate of Title Volume 05285 Folio 848</td>
<td>Covenant 1319212</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 198 on PS011502 and further being described in Certificate of Title Volume 08165 Folio 105</td>
<td>Covenant 1904468</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lots 199 and 200 on PS011502 and further being described in Certificate of Title Volume 06372 Folio 208</td>
<td>Covenant 1763961</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 201 on PS011502 and further being described in Certificate of Title Volume 05647 Folio 212</td>
<td>Covenant 1453022</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 202 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 510</td>
<td>Covenant 1463040</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 203 on PS011502 and further being described in Certificate of Title Volume 05806 Folio 085</td>
<td>Covenant 1508823</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lots 205 and 206 on PS011502 and further being described in Certificate of Title Volume 07194 Folio 603</td>
<td>Covenant 2184914</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 209 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 508</td>
<td>Covenant 1461864</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 210 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 509</td>
<td>Covenant 1461864</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 211 on PS011502 and further being described in Certificate of Title Volume 08220 Folio 850</td>
<td>Covenant 1923222</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lots 212 and 213 on PS011502 and further being described in Certificate of Title Volume 06778 Folio 568</td>
<td>Covenant 1944146</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 214 on PS011502 and further being described in Certificate of Title Volume 06712 Folio 338</td>
<td>Covenant 1923223</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 215 on PS011502 and further being described in Certificate of Title Volume 05893 Folio 587</td>
<td>Covenant 1546524</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Land</td>
<td>Easement or restriction</td>
<td>Requirement</td>
</tr>
<tr>
<td>------</td>
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</tr>
<tr>
<td>Lot 216 on PS011502 and further being described in Certificate of Title Volume 05479 Folio 777</td>
<td>Covenant 1389998</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 217 on PS011502 and further being described in Certificate of Title Volume 07623 Folio 011</td>
<td>Covenant 2428949</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 220 on PS011502 and further being described in Certificate of Title Volume 05900 Folio 805</td>
<td>Covenant 1549148</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 221 on PS011502 and further being described in Certificate of Title Volume 06099 Folio 638</td>
<td>Covenant 1640973</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 222 on PS011502 and further being described in Certificate of Title Volume 07156 Folio 177</td>
<td>Covenant 2140931</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lot 223 on PS011502 and further being described in Certificate of Title Volume 07156 Folio 178</td>
<td>Covenant 2143296</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lots 227, 228, 229 on PS011502 and further being described in Certificate of Title Volume 05772 Folio 234</td>
<td>Covenant 1495473</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
<tr>
<td>Lots 82, 83 on LP006394 and further being described in Certificate of Title Volume 08046 Folio 558</td>
<td>Covenant 2642396</td>
<td>The whole of the restriction is authorised for removal</td>
</tr>
</tbody>
</table>

**Under Section 24A of the Subdivision Act 1988**

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></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.
**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,</td>
<td>Clause 59.09</td>
</tr>
<tr>
<td>Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</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>
Information requirements and decision guidelines

Class of application

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

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>
Condition

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah, more</td>
</tr>
<tr>
<td></td>
<td>than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian</td>
</tr>
<tr>
<td></td>
<td>or traffic lights.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Category 2 - Office and industrial**

Low limitation

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>This does not include a direction sign.</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</td>
</tr>
<tr>
<td></td>
<td>from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 3 - High amenity areas

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td>None specified</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></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></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></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td></td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of floor area</td>
</tr>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every 5 dwellings for developments of 5 or more dwellings</td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>0.4</td>
<td>0.3</td>
<td>To each student that is part of the maximum number of students on the site at any time</td>
</tr>
<tr>
<td>Food and drink premises other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Freezing and cool storage,</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td></td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Motel</strong></td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td><strong>Motor repairs</strong></td>
<td>3</td>
<td>3</td>
<td>To each 100 sq m of net floor area plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners</td>
</tr>
<tr>
<td><strong>Office other than listed in this table</strong></td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td><strong>Place of assembly other than listed in this table</strong></td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td><strong>Postal agency</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Primary school</strong></td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td><strong>Research and development centre</strong></td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td><strong>Residential aged care facility</strong></td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td><strong>Residential village</strong></td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td><strong>Retirement village</strong></td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td><strong>Restaurant</strong></td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Restricted retail premises</strong></td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Rooming house</strong></td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td><strong>Saleyard</strong></td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td><strong>Secondary school</strong></td>
<td>1.2</td>
<td>1.2</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td><strong>Shop other than listed in this table</strong></td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td><strong>Squash court – other than in conjunction with a dwelling</strong></td>
<td>3</td>
<td>3</td>
<td>To each court plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Store other than listed in this table</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Supermarket</td>
<td>5</td>
<td>5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Swimming pool – other than in conjunction with a dwelling</td>
<td>5.6</td>
<td>5.6</td>
<td>To each 100 sq m of the site</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3</td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>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></td>
<td>3.5</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.

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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></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>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking
Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design
Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety
Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
BUSHFIRE RECOVERY

Purpose
To facilitate and support recovery from a bushfire.
To facilitate the construction and use of temporary accommodation following a bushfire.
To enable businesses and services to continue operating following a bushfire.

Exemption from planning scheme requirements
Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following use or development if requirements of Clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by a bushfire.

- The removal, destruction or lopping of vegetation.

This exemption does not apply to:
- The requirement in Clause 45.03-1.
- The use or development of land to which Clause 52.13 or Clause 52.14 applies.
- The use or development of land identified in a schedule to Clause 51.01.
- The use or development of land in the Specific Controls Overlay.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

Information to responsible authority
Before the commencement of a use or the construction of a building under Clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

Temporary accommodation requirements
The following requirements do not apply to the use or development of land associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.
Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970 or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

### Other use and development requirements

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by a bushfire must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by a bushfire, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by a bushfire.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

### Vegetation removal requirement

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:
To enable the removal of a building, equipment or other material that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed; or

To enable the repair or reconstruction of a fence that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

**Overlay requirements**

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be undertaken to the satisfaction of the responsible authority.

Development of land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement
A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Extractive industry</strong></td>
</tr>
<tr>
<td><strong>Geothermal energy exploration</strong></td>
</tr>
<tr>
<td><strong>Geothermal energy extraction</strong></td>
</tr>
<tr>
<td><strong>Mineral exploration</strong></td>
</tr>
<tr>
<td><strong>Mining</strong></td>
</tr>
<tr>
<td><strong>Petroleum exploration</strong></td>
</tr>
<tr>
<td><strong>Petroleum production</strong></td>
</tr>
<tr>
<td><strong>Stone exploration</strong></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.

### 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.

### 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.

### 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.
**52.12-2 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.

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**52.12-3 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).

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**52.12-4 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.

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**52.12-5 Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
### SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

#### Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

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**HOBSONS BAY PLANNING SCHEME**

**Page 633 of 1007**
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.

- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.

- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.

- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.

- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.

- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.

- Any sign displayed must be directly associated with bushfire recovery.

- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

**Land in a Heritage Overlay**

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

**Land in a Land Management Overlay**

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

**Land in an Environmental Audit Overlay**

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

**Cessation of use**

A use must not continue after 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

**Decision guidelines**

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

52.14-3  
Land in an Erosion Management Overlay  
For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:
- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4  
Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay  
For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5  
Decision guidelines  
Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:
- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency services</strong></td>
<td>The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
<td>The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.</td>
</tr>
<tr>
<td><strong>Public land management</strong></td>
<td>The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following:</td>
</tr>
<tr>
<td></td>
<td>• The Department of Environment, Land, Water and Planning;</td>
</tr>
<tr>
<td></td>
<td>• The Department of Economic Development, Jobs, Transport and Resources; or</td>
</tr>
<tr>
<td></td>
<td>• Parks Victoria, whether on private land or not.</td>
</tr>
<tr>
<td><strong>General</strong></td>
<td>The helicopter landing site where either:</td>
</tr>
<tr>
<td></td>
<td>• The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided:</td>
</tr>
<tr>
<td></td>
<td>‒ The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements).</td>
</tr>
<tr>
<td></td>
<td>‒ Flight movements do not take place before 7am or after sunset on a weekday.</td>
</tr>
<tr>
<td></td>
<td>‒ Flight movements do not take place before 8am or after sunset on a weekend or holiday; or</td>
</tr>
<tr>
<td></td>
<td>• The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.</td>
</tr>
</tbody>
</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

52.15-3
18/12/2012 VC93

Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
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>
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<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.

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.

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 Geothermal Resources Act 2005.

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.

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.

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.

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.

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
<th>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).</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Railways</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of a railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td><strong>Regrowth</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped 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 costeasing and bulk sampling activities.</td>
</tr>
<tr>
<td><strong>Road safety</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</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 costeasing and bulk sampling activities.</td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</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><strong>Utility installations</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
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<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>
1.0

Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
<th>None specified</th>
</tr>
</thead>
</table>

SCHEDULE TO CLAUSE 52.16
NATIVE VEGETATION

Purpose
To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the *Guidelines*):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement
A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements
An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the *Guidelines*.

Property vegetation plans
A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements
If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the *Guidelines*. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Conservation work</strong></td>
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<td></td>
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<tr>
<td><strong>Crown land</strong></td>
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<tr>
<td><strong>Dead native vegetation</strong></td>
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<tr>
<td><strong>Emergency works</strong></td>
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<td></td>
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<tr>
<td></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>
</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 native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

**Personal use**

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.
The requirement to obtain a permit does not apply to:

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:

- contiguous land in one ownership that has an area of less than 10 hectares;
- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

<table>
<thead>
<tr>
<th>Pest animal burrows</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in accordance with written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em>; or</td>
</tr>
<tr>
<td></td>
<td>- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree; or</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
</tbody>
</table>

| Railways | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |

<table>
<thead>
<tr>
<th>Regrowth</th>
<th>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- less than 10 years old; or</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or</td>
</tr>
<tr>
<td></td>
<td>- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>), and is:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- shown on that plan as being ‘certified regrowth’; and
- on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

### Road safety

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

### Site area

Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares.

This exemption does not apply to native vegetation on a roadside or rail reservation.

### Stock movements on roads

Native vegetation that is to be removed, or destroyed by stock being moved along a road.

This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.

### Stone exploration

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to 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

#### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
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</tbody>
</table>

#### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
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</table>

#### Utility installation code of practice

<table>
<thead>
<tr>
<th>Name of code of practice</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
TELECOMMUNICATIONS FACILITY

Purpose
To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.
To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Permit requirement
A permit is required to construct a building or construct or carry out works for a telecommunications facility. This does not apply to buildings and works for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cth).
- A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of A Code of Practice for Telecommunications Facilities in Victoria, July 2004.
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cth) pursuant to legislation applying to that body.

Land in public ownership
An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or
- The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay; or
- The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications facility is funded, or partly funded, by:
- The Commonwealth through the Mobile Black Spot Program; or
- The State of Victoria.

**Application requirements**

An application must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- The effect of the proposal on adjacent land.
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.
PRIVATE TENNIS COURT

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

Application

This clause applies to any private tennis court which is used in association with a dwelling.

Permit requirement

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

Application requirements

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.
**Notice provisions**

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

**Decision guidelines**

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.
COMMUNITY CARE ACCOMMODATION

Purpose
To facilitate the establishment of community care accommodation.
To support the confidentiality of community care accommodation.

Application
This clause applies to the use and development of land for community care accommodation.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

Buildings and works exemption
Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- If the development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, standards B6, B17, B18, B19, B20, B21 and B22 of Clause 55 are met.

Exemption from notice and review
An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
ROOMING HOUSE

Purpose
To facilitate the establishment of domestic-scale rooming houses.

Application
This clause applies to use and development of land for a rooming house.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

Buildings and works exemption
Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
LICENCED PREMISES

Purpose
To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope
These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required
A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:
- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications
An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

The impact of the hours of operation on the amenity of the surrounding area.

The impact of the number of patrons on the amenity of the surrounding area.

The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
SCHEDULE TO CLAUSE 52.27

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

1.0 Objectives
None specified.

2.0 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>Central Square, Altona Meadows</td>
<td>Land on the southwest corner of Central Avenue and Merton Street, also known as 1-23 Central Avenue, Altona Meadows</td>
</tr>
<tr>
<td>Altona Gate, Altona North</td>
<td>Land on the northwest corner of Beuron Road and Millers Road, also known as 124-134 Millers Road, Altona North including 84-122 Millers Road, Altona North</td>
</tr>
</tbody>
</table>

3.0 Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-4 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

<table>
<thead>
<tr>
<th>Name of strip shopping centre and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aviation Road, Laverton</td>
<td>1-9 (odd numbers) and 2-28 (even numbers) Aviation Rd; 161-163 (odd numbers) Railway Ave; 2-8 (even numbers) Neville Ave</td>
</tr>
<tr>
<td>Borrack Square, Altona North</td>
<td>1-39 (odd numbers) and 2-40 (even numbers) Borrack Square; 202-204 (even numbers) Millers Rd</td>
</tr>
<tr>
<td>Challis Street, Newport</td>
<td>31-47 (odd numbers) and 44-56 (even numbers) Challis St</td>
</tr>
<tr>
<td>Douglas Parade/Ferguson Street, Williamstown</td>
<td>2-102 (even numbers) and 7-97 (odd numbers) (including land at the rear of 87) Ferguson St; 1-111 (odd numbers) and 4-110 (even numbers) (including land at the rear of 32-36 (even numbers)) Douglas Pde; 32-36 (even numbers) Lyons St; 101 Napier St; 4-10 (even numbers) Roaches Terrace; 64-68 (even numbers) and 77-83 (odd numbers) Stevedore St; land at the rear of 85 Stevedore St; 72-74 (even numbers) Electra St; 1-17 (odd numbers) and 2-14 (even numbers) Coxs Garden; 2-16 (even numbers) and 15-27 (odd numbers) (including land at the rear of 27) Wellington St; 166-168 (even numbers) Aitken St</td>
</tr>
<tr>
<td>Harrington Square, Altona</td>
<td>1-31 Harrington Square; 116-188 Maidstone St</td>
</tr>
<tr>
<td>Hudsons Road, Spotswood</td>
<td>29 Hope St; 68-98 (even numbers) and 79-101, 139, 145A and 145B (odd numbers) (excluding the rear of 87-97 (odd numbers)) Hudsons Rd and 606-612 Melbourne Rd</td>
</tr>
<tr>
<td>Millers Junction, Altona North</td>
<td>24-42 Cabot Drive and 290-298 Millers Road</td>
</tr>
<tr>
<td>Name of strip shopping centre and locality</td>
<td>Land description</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Newport Junction, Newport</td>
<td>1-5 (odd numbers), 2-26 (even numbers) and 17-33A (odd numbers) Mason St; 33-37 (odd numbers); 1 Susman St; 1-46A Hall St (excluding land at the rear of 15 Hall St); 314-344 (even numbers) and 405-455 (odd numbers) Melbourne Rd; 1 Walker St</td>
</tr>
<tr>
<td>Pier Street, Altona</td>
<td>18-122 (even numbers) (including the 3 lots at the rear of 122) and 39-121 (odd numbers) Pier St; 9 and 19 Bent St; 112-122 (even numbers) Queen St; 66-92 (even numbers) Railway St Sth; 137 and 153 The Esplanade</td>
</tr>
<tr>
<td>Somers Parade, Altona</td>
<td>45 Maidstone St and 3-31 (odd numbers) Somers Parade</td>
</tr>
<tr>
<td>The Circle, Altona North</td>
<td>9-13 (odd numbers) and 25-75 (odd numbers) The Circle</td>
</tr>
<tr>
<td>The Range, Williamstown North</td>
<td>71-79 (odd numbers) Kororoit Creek Rd</td>
</tr>
<tr>
<td>Woods Street, Laverton</td>
<td>44-68 (even numbers) Woods St; 2-18 (even numbers) Lohse St; 36-38 (even numbers) Maher St</td>
</tr>
<tr>
<td>Vernon Street, South Kingsville</td>
<td>15-41 (odd numbers) and 30-36 (even numbers) Vernon St</td>
</tr>
</tbody>
</table>

**Locations for gaming machines**

None specified.

**Venues for gaming machines**

None specified.

**Application requirements**

None specified.

**Decision guidelines**

None specified.
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.

**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.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


**Anemometer**

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

**Application to amend a permit under section 72 of the Act**

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:
- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

**Application to amend a permit under section 97I of the Act**

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0

Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>None specified</th>
</tr>
</thead>
</table>

---
BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

### Table 1 to Clause 52.34-5 Bicycle spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area 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>
**Table 2 to Clause 52.34-5 Showers**

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</td>
<td>None</td>
</tr>
</tbody>
</table>

**Table 3 to Clause 52.34-5 – Change rooms**

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</td>
<td>None</td>
</tr>
</tbody>
</table>

### 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.
## SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

### 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 in the area covered by Schedule 1 to the Development Contributions Plan Overlay at Clause 45.06 of the Hobsons Bay Planning Scheme, referred to as the Former Port Phillip Woollen Mill.</td>
<td>5%</td>
</tr>
<tr>
<td>All land in the area covered by Schedule 2 to the Comprehensive Development Zone at Clause 37.02 of the Hobsons Bay Planning Scheme, also referred to as Precinct 15.</td>
<td>7.1%</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application
This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.
Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.
A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective
To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 1.1</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 1.2</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>AM 1.3</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>

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<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>

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>
Requirement Measure

**AltM 3.5**
A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of **AM 3.1** cannot be met.

**AltM 3.6**
A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

---

**53.02-4.3 Water supply and access objectives**

A static water supply is provided to assist in protecting property.
Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

**Approved measures**

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| **AM 4.1** | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
  - A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
  - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. |

| **AM 4.2** | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: |
Requirement

- 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>
A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- All other requirements of AM 5.2 have been met.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

- 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>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
<td>35</td>
<td>25</td>
<td>19</td>
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<tr>
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<td>Scrub</td>
<td>27</td>
<td>19</td>
<td>13</td>
<td>10</td>
<td>&lt; 10</td>
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<td>9</td>
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<td>&lt; 7</td>
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<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
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<tr>
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<td>Rainforest</td>
<td>23</td>
<td>16</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
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<td>Grassland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>6</td>
<td>&lt; 6</td>
<td></td>
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<tr>
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<td>Forest</td>
<td>57</td>
<td>43</td>
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<td>24</td>
<td>&lt; 24</td>
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<td>41</td>
<td>29</td>
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<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 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>&lt; 7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td>&lt; 10</td>
<td></td>
</tr>
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<td></td>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
<td>53</td>
<td>39</td>
<td>31</td>
<td>&lt; 31</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td>&lt; 20</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
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<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 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>&lt; 7</td>
<td></td>
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<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td>&lt; 13</td>
<td></td>
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<td></td>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
<td>64</td>
<td>49</td>
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<td>&lt; 39</td>
<td></td>
</tr>
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<td></td>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
<td>25</td>
<td>&lt; 25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
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<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
<td></td>
</tr>
</tbody>
</table>
Defendable space distance from building facade (metres)

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mallee/ Mulga</td>
<td>Forest</td>
<td>26</td>
<td>18</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td>Rainforest</td>
<td>Woodland</td>
<td>45</td>
<td>33</td>
<td>23</td>
<td>17</td>
<td>&lt; 17</td>
</tr>
<tr>
<td>Grassland</td>
<td>Scrub</td>
<td>28</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
</tr>
<tr>
<td>&gt; 15 to 20 degrees</td>
<td>Shrubland</td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
<td>&lt; 50</td>
</tr>
<tr>
<td>All slopes</td>
<td>Mallee/ Mulga</td>
<td>73</td>
<td>56</td>
<td>41</td>
<td>32</td>
<td>&lt; 32</td>
</tr>
<tr>
<td>Low threat vegetation</td>
<td>Scrub</td>
<td>43</td>
<td>31</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
</tr>
<tr>
<td>All slopes</td>
<td>Shrubland</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>&lt; 10</td>
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<tr>
<td>All slopes</td>
<td>Mallee/ Mulga</td>
<td>29</td>
<td>20</td>
<td>13</td>
<td>9</td>
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</tr>
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<td>Modified vegetation</td>
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<td>56</td>
<td>42</td>
<td>29</td>
<td>22</td>
<td>&lt; 22</td>
</tr>
<tr>
<td>Grassland</td>
<td>Forest</td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
</tr>
</tbody>
</table>

Defendable space and construction

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

**Note 1:** Slope and vegetation type is determined through the bushfire hazard site assessment.

**Note 2:** Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

**Table 2 Defendable space and construction**

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation</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 (0 degrees)</td>
<td>Forest</td>
<td>48</td>
<td>35</td>
<td>25</td>
<td>19</td>
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<td>Woodland</td>
<td>33</td>
<td>24</td>
<td>16</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>-----------------------</td>
<td>------------</td>
<td>-----------------------------------------------------</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
<td>Column D</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
</tr>
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<td></td>
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<td>22</td>
<td>15</td>
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<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
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</tr>
<tr>
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<td>Mallee/ Mulga</td>
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<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
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<td>24</td>
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</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
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<tr>
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<td>Mallee/ Mulga</td>
<td>23</td>
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<td>7</td>
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<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
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<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
<td>64</td>
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<td>20</td>
<td>13</td>
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</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
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<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
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<tr>
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<td>Mallee/Mulga</td>
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<td>Rainforest</td>
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<td>BAL12.5</td>
<td>BAL19</td>
<td>BAL29</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.**

**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 29.**

**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 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>Forest</td>
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<td>Woodland</td>
<td>40</td>
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<td>Shrubland</td>
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</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
</tr>
<tr>
<td>Vegetation class</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>&gt;0-5</td>
</tr>
<tr>
<td>Grassland</td>
<td>35</td>
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</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>
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<td>500-1,000</td>
<td>Yes</td>
<td>5,000</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>No</td>
<td>10,000</td>
<td>Yes</td>
</tr>
<tr>
<td>1,001 and above</td>
<td>Not applicable</td>
<td>10,000</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Note 1: A hydrant is available if it is located within 120 metres of the rear of the building*

**Fire authority requirements**

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

**Table 5 Vehicle access design and construction**

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1.</td>
</tr>
</tbody>
</table>
Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet.

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

<table>
<thead>
<tr>
<th>Vegetation management requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defendable space is provided and is managed in accordance with the following requirements:</td>
</tr>
<tr>
<td>- Grass must be short cropped and maintained during the declared fire danger period.</td>
</tr>
<tr>
<td>- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.</td>
</tr>
<tr>
<td>- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.</td>
</tr>
<tr>
<td>- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.</td>
</tr>
<tr>
<td>- Shrubs must not be located under the canopy of trees.</td>
</tr>
<tr>
<td>- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.</td>
</tr>
</tbody>
</table>
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 freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:
- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.
This clause does not apply to:
- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

Meaning of terms
In this clause:
- live music entertainment venue means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.
- noise sensitive residential use means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.
A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:
- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an $L_\text{eq}$ over 15 minutes.
For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
### Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose
To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met
All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.
The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose
To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm
Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm
An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review
The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
### Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

### Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><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>1. manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>2. 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:                                                       |                             |       |
| 1. up to 1,000,000 tonnes per year                                                                       | 100                        |       |
| 2. exceeding 1,000,000 tonnes per year                                                                  | 1,000                      |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                                                                                  | 500                        |       |
| Bakery (other than one ancillary to a shop):                                                             | 100                        |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Miscellaneous Manufacturing</strong></td>
<td></td>
<td></td>
</tr>
<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>
<tr>
<td><strong>Non-metallic Mineral Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• up to 5,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>• exceeding 150,000 tonnes a year</td>
<td>1,000</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>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>* from semi-processed materials</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>* from prepared cellulose &amp; rags</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>* by other methods than above</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
<td>Note 1</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>Composting and other organic materials recycling.</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accepting organic wastes</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Other</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td></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>
<td></td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td></td>
<td>Note 1</td>
</tr>
</tbody>
</table>

**Textiles**

<table>
<thead>
<tr>
<th>Textile Activity</th>
<th>Distance (metres)</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

**Transport and Storage**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
</tr>
<tr>
<td><strong>Wood, Wood Products &amp; Furniture</strong></td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
</tr>
<tr>
<td>• by the retort process</td>
<td>500</td>
</tr>
<tr>
<td>• other than by the retort process</td>
<td>1,000</td>
</tr>
<tr>
<td>Joinery:</td>
<td>100</td>
</tr>
<tr>
<td>Sawmill:</td>
<td>500</td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td>100</td>
</tr>
<tr>
<td>Wood-fibre or wood-chip products:</td>
<td>1,500</td>
</tr>
</tbody>
</table>
TIMBER PRODUCTION

Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the Forests Act 1958 and the Sustainable Forests (Timber) Act 2004, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
  - Protecting water quality.
  - Conserving flora and fauna.
  - Preventing land degradation, including soil erosion, salinisation and water logging.
  - Preventing adverse effects on groundwater recharge.

- The preservation of and impact on the natural environment, cultural heritage and visual amenity.

- Whether it is appropriate to require environmental protection standards greater than those in the Code.
RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

Requirement
An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

Exemption from notice and review
An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

Purpose
To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

Application requirements
An application must be accompanied by the following information, as appropriate:

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.

- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.


Amendment VC161 transitional provisions

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
RESOURCES RECOVERY

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

Application requirements

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
  - An assessment of:
    - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
    - The impact of traffic generation on local roads.

Decision Guidelines

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose
To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application
In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
<tr>
<td>Pig Class</td>
<td>Mass Range (kg)</td>
<td>Age Range (weeks)</td>
<td>SPU Factor</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<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 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>
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<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>
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<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

**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 \(d_a \times V_{ave} < 0.35 \text{ m}^2/\text{s}\) (where, \(d_a = \text{average depth in metres and } V_{ave} = \text{average velocity in metres per second}\)).

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 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

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<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
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<td>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.

### Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

### Standard A11

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or

- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- The design response.

- The extent to which walls on boundaries are part of the neighbourhood character.

- The visual impact of the building when viewed from adjoining properties.

- The impact on the amenity of existing dwellings.

- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.

- The orientation of the boundary that the wall is being built on.

- The width of the lot.

- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.

- Whether the wall abuts a side or rear lane.

- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective
To allow adequate daylight into existing habitable room windows.

Standard A12
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard A13
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram A3 North-facing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
The time of day that sunlight is available to the secluded private open space of the existing dwelling.

The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18
The private open space should be located on the north side of the dwelling, if practicable.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where ‘h’ is the height of the wall.
Diagram A5 Solar access to open space

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.
**DETAILED DESIGN**

**Design detail objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard A19**
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard A20**
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

**Table A2 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.
TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

<table>
<thead>
<tr>
<th>Application type</th>
<th>Applicable clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or to construct or extend a residential building.</td>
<td>All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).</td>
</tr>
<tr>
<td>To construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.</td>
<td>All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.</td>
</tr>
</tbody>
</table>

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:
Must meet all of the objectives of this clause that apply to the application.

Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

**Transitional provisions**

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Neighbourhood character objectives
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
To ensure that development responds to the features of the site and the surrounding area.

Standard B1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard B2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard B7
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B8
The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or

- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9
The site area covered by the pervious surfaces should be at least:
- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and residential buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is maximised.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

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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.

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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.

55.03-8
31/07/2018
VC148

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 access ways 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, gutsers, 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.
Diagram B3 North-facing windows

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

**Overshadowing open space objective**
To ensure buildings do not significantly overshadow existing secluded private open space.

**Standard B21**
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
• Existing sunlight penetration to the secluded private open space of the existing dwelling.

• The time of day that sunlight will be available to the secluded private open space of the existing dwelling.

• The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

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19/01/2006
VC37

Overlooking objective
To limit views into existing secluded private open space and habitable room windows.

Standard B22
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.

• Have sill heights of at least 1.7 metres above floor level.

• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.

• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.

• Permanent, fixed and durable.

• Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4 Overlooking open space

Decision guidelines
Before deciding on an application, the responsible authority must consider:
The design response.

- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

### Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**
The private open space should be located on the north side of the dwelling or residential building, if appropriate.
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

### Storage objective
To provide adequate storage facilities for each dwelling.
Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31
The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 Warnambool</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 L\text{Aeq},8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed L\text{Aeq},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 readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42
Entries to dwellings and buildings should:
Be visible and easily identifiable.

Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space above ground floor objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**

A dwelling should have private open space consisting of:

- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
Storage objective
To provide adequate storage facilities for each dwelling.

Standard B44
Each dwelling should have convenient access to usable and secure storage space.
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

Table B9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

Waste and recycling objectives
To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

### Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

#### Standard B46
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

<table>
<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>
<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 the layout, siting, size and orientation of habitable rooms.

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework. To create liveable and sustainable neighbourhoods and urban places with character and identity. To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed subdivision.
- Standards. A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood
  or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
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 volume¹</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m⁴ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>None</td>
</tr>
</tbody>
</table>

Footpath provision

None

Carriageway designed as a shared zone and appropriately signed.

Cycle path provision

None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>Kerbing</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Footpath provision | Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.  
1.5m wide footpath offset a minimum distance of 1m from the kerb. |
| Cycle path provision | None |

**Access Street - Level 1**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

| Traffic volume | 1000vpd to 2000vpd |
| Target speed | 30kph |
| Carriageway width & parking provision within street reservation | 5.5m wide with 1 hard standing verge parking space per 2 lots. |
| Verge width | 4m minimum each side |
| Kerbing | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| Footpath provision | 1.5m wide footpaths on both sides.  
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.  
Be offset a minimum distance of 1m from the kerb. |
| Cycle path provision | Carriageway designed as a shared zone and appropriately signed. |

**Access Street - Level 2**

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

| Traffic volume | 2000vpd to 3000vpd |
| Target speed | 40kph |
| Carriageway width & parking provision within street reservation | 7m-7.5m wide with parking on both sides of carriageway |
| Verge width | 4.5m minimum each side |
| Kerbing | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| Footpath provision | 1.5m wide footpaths on both sides.  
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. |
Be offset a minimum distance of 1m from the kerb.

<table>
<thead>
<tr>
<th><strong>Cycle path provision</strong></th>
<th>Carriageway designed as a shared zone and appropriately signed.</th>
</tr>
</thead>
</table>

**Connector Street - Level 1**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th><strong>Traffic volume</strong></th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target speed</strong></td>
<td>50 kph(^1) reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></th>
<th>3.5m minimum lane width in each direction of travel.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>– 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>– 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>– 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
</tr>
<tr>
<td><strong>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</strong></td>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Verge width</strong></th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kerbing</strong></td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Footpath provision</strong></th>
<th>1.5m wide footpaths on both sides.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Footpath provision</strong></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><strong>Footpath provision</strong></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><strong>Traffic volume</strong></th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target speed</strong></td>
<td>60 kph(^3) or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
### Carriageway width, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.
- 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway
  - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.
- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops located at the kerbside, not indented within the verge.

### Verge width

- 6m minimum each side (plus central median).

### Kerbing

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

### Footpath and cycle path provision

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicated bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

### Arterial Road

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>Greater than 7000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
### Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.

<table>
<thead>
<tr>
<th><strong>Verge width</strong>&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Arterial road design as required by the relevant roads authority.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kerbing</strong>&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td><strong>Footpath &amp; cycle path provision</strong></td>
<td>3m wide shared path on each side or as otherwise required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{av} < 0.35 \text{ m}^3/\text{s}$ (where, $d_a =$ average depth in metres and $V_{av} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives
To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27
Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives
To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28
The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29
Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.

- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
**Standard C30**

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.

- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.

- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is optimised.
Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**

To encourage development that respects the landscape character of the area.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
### Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

**Note:** Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

### Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

### Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

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>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>Circulation area</td>
</tr>
<tr>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<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>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>Path to circulation area</td>
</tr>
<tr>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>Shower</td>
</tr>
<tr>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>Toilet</td>
</tr>
<tr>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.
Standard D18
Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D19
A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

Table D5 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
**DETAILED DESIGN**

**Common property objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard D21**
Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard D22**
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Waste and recycling objectives**
To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).

- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- Any relevant waste and recycling objective, policy or statement set out in this scheme.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- 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 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 the layout, siting, size and orientation of habitable rooms.

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard 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:
A10 Side and rear setbacks.
A11 Walls on boundaries.
A12 Daylight to existing windows.
A13 North-facing windows.
A14 Overshadowing open space.
A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

**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

### Table 1 Classes of local VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
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.
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.

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 landowner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.

- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.

- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the 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.

Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>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>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</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>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 on Crown land which is occupied or managed by the responsible authority.</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>
</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>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td>Environment Protection Authority</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>
</tbody>
</table>

This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the 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></td>
<td></td>
</tr>
<tr>
<td>A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Kind of application

- 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.

### Determining referral authority

- 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

#### Kind of application

- To use or develop land for stone extraction.

#### Referral authority

- Secretary to the Department administering the *Heritage Act 1995*.
- Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*.
- Secretary to the Department administering the *Catchment and Land Protection Act 1994*.

#### Type of referral authority

- Determining referral authority.
<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td></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>
66.02-9  
25/05/2017  
VC133

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>

66.02-10  
25/05/2017  
VC133

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>

66.02-11  
16/01/2018  
VC142

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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

| | |
| | |
| • Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village. | |
| • A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria. | |
## Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <em>Water Act 1989</em>.</td>
<td>Secretary to the Department administering the <em>Water Act 1989</em>.</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</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>Clause 37.07-5 (UGZ)</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>Clause 44.03-6 (FO)</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>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
- The outbuilding is ancillary to a dwelling,  
- 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
- The canopy of each tree within the defendable space is separated by at least 2 metres, and  
- Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority |
<p>| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay. | Referral authority specified in a schedule to the overlay | Determining referral authority |
| Clause 45.01-3 (PAO) | An application under the overlay. | Acquiring authority specified in the schedule to the overlay | Determining referral authority |
| Clause 45.07-6 (CLPO) | An application under the overlay. | Roads Corporation | Determining referral authority |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the <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 Road Management Act 2004, 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.
## 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>Schedules 15 and 16 to Clause 43.02</td>
<td>An application for buildings and works</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources until 31 December 2026, and thereafter the Roads Corporation</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.
# 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>43.02 Schedule 10 – Clause 7.0</td>
<td>To subdivide land, construct a building or carry out works.</td>
<td>Licensee (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline).</td>
</tr>
<tr>
<td>43.02 Schedule 10 – Clause 7.0</td>
<td>To subdivide land, construct a building or carry out works.</td>
<td>Operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline).</td>
</tr>
<tr>
<td>43.02 Schedule 10 – Clause 7.0</td>
<td>To subdivide land, construct a building or carry out works.</td>
<td>Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005.</td>
</tr>
<tr>
<td>43.02 Schedule 10 – Clause 7.0</td>
<td>To subdivide land, construct a building or carry out works.</td>
<td>Owner of the Spotswood Locomotive Maintenance Centre.</td>
</tr>
<tr>
<td>43.02 Schedule 10 – Clause 7.0</td>
<td>To subdivide land, construct a building or carry out works.</td>
<td>Operator of the Spotswood Locomotive Maintenance Centre.</td>
</tr>
<tr>
<td>37.02 Schedule 2</td>
<td>To use and develop land within 450 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline for: Residential aged care Child care centre Education centre Place of assembly</td>
<td>Operators and Licencees authorised under pipeline licence Nos PL108 (Brooklyn to South Melbourne Licensed Pipeline) and PL118 (Somerton to Altona Licensed Pipeline)</td>
</tr>
<tr>
<td>37.02 Schedule 2</td>
<td>To subdivide land within 60 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline for: Residential aged care Child care centre Education centre Place of assembly</td>
<td>Operators and Licencees authorised under pipeline licence Nos PL108 (Brooklyn to South Melbourne Licensed Pipeline) and PL118 (Somerton to Altona Licensed Pipeline)</td>
</tr>
</tbody>
</table>
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

**Class 1**

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

**Class 2**

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

**Class 3**

Any other use or development.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the Flora and Fauna Guarantee Act 1988.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
OPERATION OF THE MUNICIPAL PLANNING STRATEGY

Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

Relationship to the Municipal Strategic Statement

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

**Section 1 uses**

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

**Section 2 uses**

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

**Making decisions about Section 2 uses**

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

**Section 3 uses**

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.

The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.

- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for 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 Hobsons Bay City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0 Responsible authority for administering and enforcing a provision of this planning scheme:
The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land at:


The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the “West Gate Tunnel Project Incorporated Document, December 2017”.
- Any other provision of the scheme as it applies to the use or development of land for the West Gate Tunnel Project.

3.0 Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0 Responsible authority for VicSmart applications:
The Chief Executive Officer of the Hobsons Bay City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
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:

This planning scheme applies to that part of the municipal district of the City of Hobsons Bay not in the Port of Melbourne Planning Scheme.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).

- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.

- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

- 1, 1LSIO
- 2, 2ESO, 2HO, 2LSIO, 2PAO, 2SBO
- 3, 3DCPO, 3DPO, 3EAO, 3ESO, 3HO, 3LSIO, 3PAO, 3SBO
- 4, 4DCPO, 4DDO, 4EAO, 4HO, 4SBO
- 5, 5DDO, 5HO, 5LSIO, 5SBO
- 6, 6LSIO
- 7, 7LSIO
- 8, 8EAO, 8ESO, 8HO, 8LSIO, 8PAO, 8SBO
- 9, 9DDO, 9EAO, 9ESO, 9HO, 9LSIO, 9PAO, 9SBO
- 10, 10DDO, 10EAO, 10ESO, 10HO, 10LSIO, 10PAO, 10SBO
- 11, 11DDO, 11EAO, 11HO, 11SBO
- 12, 12LSIO, 12PAO
- 13, 13HO, 13LSIO
- 14, 14DDO, 14EAO, 14HO, 14LSIO, 14PAO, 14SBO
- 15, 15DDO, 15HO, 15LSIO, 15PAO, 15SBO
- 16, 16DDO, 16ESO, 16HO, 16LSIO, 16SBO
- 17, 17DDO, 17ESO, 17HO, 17LSIO, 17SBO
- 18, 18DDO, 18HO
- 19, 19DCPO, 19DDO, 19EAO, 19HO
- 20, 20LSIO
- 21, 21DDO, 21HO, 21LSIO
- 22, 22DDO, 22HO, 22LSIO
DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

### Table to Clause 72.04

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities. Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
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</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
</tbody>
</table>
## Incorporated documents

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Altona North Comprehensive Development Plan, August 2018</td>
<td>C88</td>
</tr>
<tr>
<td>Altona North Development Contributions Plan, August 2018</td>
<td>C88</td>
</tr>
<tr>
<td>Construction and extension of one dwelling on a lot between 300m2 and 500m2, 1 May 2014</td>
<td>GC9</td>
</tr>
<tr>
<td>Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006</td>
<td>C34</td>
</tr>
<tr>
<td>Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006</td>
<td>C34</td>
</tr>
<tr>
<td>Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017</td>
<td>C111</td>
</tr>
<tr>
<td>Laverton Rail Upgrade Project, September 2008</td>
<td>C69</td>
</tr>
<tr>
<td>M1 Redevelopment Project, October 2006</td>
<td>C61</td>
</tr>
<tr>
<td>Medical Centre and Pharmacy at 196 – 200 Hall Street, Spotswood, July 2010</td>
<td>C67</td>
</tr>
<tr>
<td>Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017</td>
<td>GC74</td>
</tr>
<tr>
<td>Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003</td>
<td>C24</td>
</tr>
<tr>
<td>Port Phillip Woollen Mill Development Contributions Plan 2015-25, April 2016 (Amended July 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>West Gate Tunnel Project Incorporated Document, December 2017</td>
<td>GC93</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:

17 February 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>Lodden Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Lodden 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>
<tr>
<td>Plan Melbourne 2017-2050: Metropolitan Planning Strategy</td>
<td>VC134 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>

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MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
GENERAL TERMS

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gaming machine</td>
<td>Has the same meaning as it has in the <em>Gambling Regulation Act 2003</em>.</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, Borooondara, 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>
</tbody>
</table>
| **Tenement**                 | Land comprised in: \n\n  a) a lot which does not adjoin another lot in the same ownership; or \n  b) lots in the same ownership and which adjoin each other. \n  
  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. |
| **Utility service provider** | A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services. |
| **Verge**                    | The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting. |
| **Wall height**              | The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.                                               |
| **Wholesale**                | The sale of goods or materials, to be sold by others.                                                                                                                                                      |
| **Wimmera Southern Mallee region** | The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.                                                                                           |
## SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes.</td>
</tr>
<tr>
<td></td>
<td>It does not include safety devices, platforms and lighting structures.</td>
</tr>
<tr>
<td></td>
<td>If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td>Pole sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on a pole or pylon that is not part of a building or another structure;</td>
</tr>
<tr>
<td></td>
<td>b) that is no more than 7 metres above the ground;</td>
</tr>
<tr>
<td>Sign term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>c) with an advertisement area not exceeding 6 square metres; and</td>
</tr>
<tr>
<td></td>
<td>d) that has a clearance under it of at least 2.7 metres.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td></td>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td></td>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any 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>
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<td>---------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------</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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>b)</strong> one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>c)</strong> two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Animal husbandry</strong></td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td><strong>Animal production</strong></td>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
<td></td>
</tr>
<tr>
<td><strong>Animal production</strong></td>
<td>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</td>
<td>Grazing animal production</td>
<td><strong>Animal husbandry</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td><strong>Animal training</strong></td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td><strong>Animal husbandry</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Apiculture</strong></td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td><strong>Animal husbandry</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Aquaculture</strong></td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td><strong>Agriculture</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Art and craft centre</strong></td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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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></td>
<td>Food and drink premises</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></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td>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></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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<td>---------------------------</td>
</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>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-----------------------</td>
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<td>-----------------------------------------------</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>Food and drink premises</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td>Horticulture</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>Agriculture</td>
<td>Rice growing</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Timber production</td>
</tr>
<tr>
<td>Dance studio</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>Indoor recreation facility</td>
</tr>
<tr>
<td>Data centre</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Utilityinstallation</td>
</tr>
<tr>
<td>Department store</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
</tbody>
</table>

HOBSONS BAY PLANNING SCHEME
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>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></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>Dog breeding</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dwelling</td>
<td>A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.</td>
<td>Bed and breakfast</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>sequestration exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>exploration</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>Geological energy extraction</td>
<td></td>
<td>Geothermal energy extraction</td>
<td>Office</td>
</tr>
<tr>
<td>Mining</td>
<td></td>
<td>Mining</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td></td>
<td>Petroleum exploration</td>
<td></td>
</tr>
<tr>
<td>Petroleum production</td>
<td></td>
<td>Petroleum production</td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td>Elector office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility, Waste-to-energy facility</td>
<td>Education centre</td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery, Museum</td>
<td>Place of assembly</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></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>land from which the stone is</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>extracted or removed.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Bar Convenience restaurant Hotel Restaurant Take away food premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot Solid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</td>
<td>Conference centre Reception centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency Gaming premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration as defined in the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction as defined in the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td></td>
<td>It includes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>● emergency, seasonal and supplementary feeding;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>● the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.</td>
<td></td>
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<tr>
<td></td>
<td>In this definition:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td><em>Emergency feeding</em> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Seasonal feeding</em> means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Supplementary feeding</em> means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring as defined in the Greenhouse Gas Geological Sequestration Act 2008.</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>Greenhouse gas sequestration exploration</td>
<td>Land used for greenhouse gas sequestration formation exploration as defined in the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heliport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td>An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school Horse stables Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden Crop raising</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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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>Food and drink premises</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>Indefinite</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) dismantling or breaking up of any article;</td>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) treating waste materials;</td>
<td>Transfer station</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>Research and development centre</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>Rural industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) any process of testing or analysis.</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If on the same land as any of these operations, it also includes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) storing goods used in the operation or resulting from it;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
</tbody>
</table>
| **Intensive animal production**    | Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen. It does not include:  
  - an abattoir or sale yard; or  
  - grazing animal production, pig farm, poultry farm or poultry hatchery.                                                                                                                                                                                                                                                                                                                                 | Cattle feedlot  
  Intensive dairy farm | Animal production                                                                 |
| **Intensive dairy farm**            | Land used for intensive animal production where cattle are kept or bred for the production of milk.                                                                                                                                                                                                                                                                                                                                                                     | Intensive animal production                  |                                      |
| **Jetty**                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Marina                                        |                                      |
| **Kindergarten**                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Child care centre                             |                                      |
| **Landscape gardening supplies**    | Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.                                                                                                                                                                                                                                                                                                                                                                                     | Garden supplies  
  Plant nursery | Retail premises                                                                   |
| **Laundromat**                      | Land used to clean or launder clothing or household items using self-service machines.                                                                                                                                                                                                                                                                                                                                                                                     | Shop                                          |                                      |
| **Leisure and recreation**          | Land used for leisure, recreation, or sport.                                                                                                                                                                                                                                                                                                                                                                                                                                      | Major sports and recreation facility  
  Minor sports and recreation facility  
  Motor racing track |                                      |
<p>| <strong>Library</strong>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Place of assembly                             |                                      |
| <strong>Liquid fuel depot</strong>               | Land used to store, sell by wholesale, and distribute fuel.                                                                                                                                                                                                                                                                                                                                                                                                                      | Fuel depot                                    |                                      |
| <strong>Mail centre</strong>                     | Land used to sort mail for distribution.                                                                                                                                                                                                                                                                                                                                                                                                                                       | Warehouse                                     |                                      |
| <strong>Major sports and recreation facility</strong> | Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.                                                                                                                                                                                                                                                                                           | Race course                                  | Leisure and recreation               |
| <strong>Manufacturing sales</strong>             | Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.                                                                                                                                                                                                                                                                                                                                               | Retail premises                              |                                      |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina</td>
<td>Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.</td>
<td>Jetty</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>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 Mineral Resources (Sustainable Development) Act 1990.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mining</td>
<td>Land used for mining as defined in the Mineral Resources (Sustainable Development) Act 1990.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following:</td>
<td>Water retarding basin</td>
<td>Utility installation</td>
</tr>
<tr>
<td></td>
<td>a) sewerage or water mains;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) storm or flood water drains or retarding basins;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>c) flow measurement device or a structure to gauge waterway flow;</td>
<td></td>
<td></td>
<td></td>
</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>
<td></td>
</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>
</tr>
<tr>
<td>g) a pumping station required to serve a neighbourhood;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or</td>
<td></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>
<tr>
<td>Mooring pole</td>
<td>Marina</td>
<td></td>
<td></td>
</tr>
<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>
<td>Residential hotel</td>
<td></td>
</tr>
<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>
<td>Leisure and recreation</td>
<td></td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
<td>Service industry</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Car sales</td>
<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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</tr>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Amusement park, Golf course, Golf driving range, Paintball games facility, Zoo</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Paintball games facility</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Panel beating</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td></td>
<td>Motor repairs</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>Party supplies</td>
<td>Land used for petroleum exploration as defined in the Petroleum Act 1998.</td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration as defined in the Petroleum Act 1998.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum production</td>
<td>Land used for petroleum production as defined in the Petroleum Act 1998.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour, Carnival, Cinema, Cinema-based entertainment facility, Circus, Drive-in theatre, Exhibition centre, Function centre, Hall, Library, Nightclub, Place of worship, Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Land used to keep or breed poultry.</td>
<td>Broiler farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
<td></td>
<td>Animal production</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><strong>Primary produce sales</strong></td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td><strong>Primary school</strong></td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td><strong>Race course</strong></td>
<td></td>
<td></td>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td><strong>Racing dog husbandry</strong></td>
<td>Land used to keep, breed, board or train racing dogs.</td>
<td>Racing dog training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td><strong>Racing dog training</strong></td>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
</tr>
<tr>
<td><strong>Railway station</strong></td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td><strong>Real estate agency</strong></td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td><strong>Reception centre</strong></td>
<td></td>
<td></td>
<td>Function centre</td>
</tr>
<tr>
<td><strong>Recreational boat facility</strong></td>
<td>Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.</td>
<td>Boat launching facility</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td><strong>Refuse disposal</strong></td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Renewable energy facility</strong></td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth’s heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marina</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>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td>A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.</td>
<td></td>
<td>Utility</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation Residential hotel Rooming house</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and</td>
<td></td>
<td>Food and drink premises</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>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.</td>
<td></td>
<td></td>
<td></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>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members’ guests, or by the public on payment of a fee.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
<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>
<td>Equestrian supplies Party supplies</td>
<td>Shop</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>l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which:</td>
<td>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.</td>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td>Gambling premises</td>
<td>building</td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Retirement village</td>
<td>Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.</td>
<td>Accommodation</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td></td>
<td>Transport</td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td></td>
<td>terminal</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the <em>Residential Tenancies Act 1997</em>.</td>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to:</td>
<td>Abattoir</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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<td>-----------------------------------------------------------------------------</td>
<td>----------------------------------------------------</td>
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</tr>
<tr>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td></td>
<td>Store</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 vehicles.</td>
<td>Car wash, Dry cleaner, Motor repairs</td>
<td>Industry</td>
</tr>
<tr>
<td>Service station</td>
<td>Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle 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 accessories or parts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Shop</td>
<td>Land used to sell goods or services, or to hire goods. It includes:</td>
<td>Adult sex product shop, Beauty salon, Bottle shop, Convenience shop, Dry cleaning agent, Department store, Hairdresser, Laundromat</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• the selling of bread, pastries, cakes or other products baked on the premises;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• demonstrations of products including music performances in shops selling recorded music.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• food and drink premises;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<tr>
<td>----------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td></td>
<td>• gambling premises;</td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• landscape gardening supplies;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• manufacturing sales;</td>
<td>Supermarket</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• market;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• motor vehicle, boat, or caravan sales;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• postal agency;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• primary produce sales; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• trade supplies.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sign

| Slipway         | Boat launching facility                                                  |                                    |                                  |

Solar energy facility

- Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network.
- It does not include the generation of electricity principally used for an existing use of land.

| Solid fuel depot | Fuel depot                                                               |                                    |                                  |

Stone exploration

- Land used to search for stone, including:
  - a) conducting geological, geophysical, and geochemical surveys;
  - b) costeaming and bulk sampling;
  - c) drilling; and
  - d) taking samples for chemical, physical, or other testing.

| Store           | Boat and caravan storage                                                  | Warehouse                         |                                  |
|-----------------|---------------------------------------------------------------------------|-----------------------------------|                                  |
|                 | Freezing and cool storage                                                 |                                   |                                  |
|                 | Rural store                                                               |                                   |                                  |
|                 | Shipping container storage                                                |                                   |                                  |
|                 | Vehicle store                                                             |                                   |                                  |

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<table>
<thead>
<tr>
<th><strong>Land use term</strong></th>
<th><strong>Definition</strong></th>
<th><strong>Includes</strong></th>
<th><strong>Included in</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Supermarket</td>
<td>Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.</td>
<td>Shop</td>
<td>Food and drink premises</td>
</tr>
<tr>
<td><strong>Take away food premises</strong></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><strong>Utility installation</strong></td>
</tr>
<tr>
<td><strong>Telecommunications facility</strong></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><strong>Education centre</strong></td>
</tr>
<tr>
<td>Tertiary institution</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td><strong>Crop raising</strong></td>
<td><strong>Trade supplies</strong></td>
</tr>
<tr>
<td><strong>Timber production</strong></td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td><strong>Crop raising</strong></td>
<td><strong>Trade supplies</strong></td>
</tr>
<tr>
<td><strong>Timber yard</strong></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><strong>Trade supplies</strong></td>
<td><strong>Retail premises</strong></td>
</tr>
<tr>
<td><strong>Trade supplies</strong></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><strong>Timber yard</strong></td>
<td><strong>Retail premises</strong></td>
</tr>
<tr>
<td><strong>Timber yard</strong></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><strong>Trade supplies</strong></td>
<td><strong>Retail premises</strong></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>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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport</td>
<td>Railway station</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road freight terminal</td>
<td>Wharf</td>
</tr>
<tr>
<td>Travel agency</td>
<td>Land used:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Utility installation | a) for telecommunications;  
|                    | b) to transmit or distribute gas or oil;  
|                    | c) to transmit, distribute or store power, including battery storage;  
|                    | d) to collect, treat, transmit, store, or distribute water; or  
|                    | e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.  
|                    | It includes any associated flow measurement device or a structure to gauge waterway flow.                                                                                                              | Data centre                                   |              |
|                    |                                                                                                                                             | Minor utility installation                    |              |
|                    |                                                                                                                                             | Reservoir                                      |              |
|                    |                                                                                                                                             | Telecommunications facility                    |              |
| Vehicle store      | Land used to park or store vehicles in connection with a goods or passenger transport business.                                                                                                         |                                               | Store        |
| Veterinary centre  | Land used to:                                                                                                                               |                                               |              |
|                    | a) diagnose animal diseases or disorders;  
|                    | b) surgically or medically treat animals; or  
|                    | c) prevent animal diseases or disorders.  
<p>|                    | It may include keeping the animals on the premises for treatment.                                                                            |                                               |              |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</td>
<td>Commercial display area Fuel depot Mail centre Milk depot Store</td>
<td></td>
</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</td>
<td>Energy generation facility</td>
<td></td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td>Transport terminal</td>
<td></td>
</tr>
</tbody>
</table>
| Wind energy facility | Land used to generate electricity by wind force. It includes land used for:  
a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force  
b) an anemometer.  
It does not include turbines principally used to supply electricity for domestic or rural use of the land. | Renewable energy facility |                                                  |
| Winery              | Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.                                                                                     |                                    |                                                  |
| Zoo                 |                                                                                                                                                                                                                                                                                                                                 | Outdoor recreation facility       |                                                  |
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.
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
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
Recreational boat facility group

- Boat launching facility
  - Boat ramp
  - Slipway

- Recreational boat facility
  - Jetty
  - Mooring pole
  - Pier
  - Pontoon

Marina
Retail premises group

- 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
- Shop
- See separate diagram for the sub-group of Shop
- Trade supplies
- Timber yard
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat

Restricted retail premises

- Equestrian supplies
- Party supplies

Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf

Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Crematorium
Display home centre
Emergency services facility
Freeway service centre
Funeral parlour
Helicopter landing site
Home based business
Hospital
Natural systems
Research centre
Saleyard
Service station
Sign
Tramway
Veterinary centre
Winery
APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.
FURTHER STRATEGIC WORK

The schedule to this clause may specify the planning authority’s approach to further strategic work. A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.